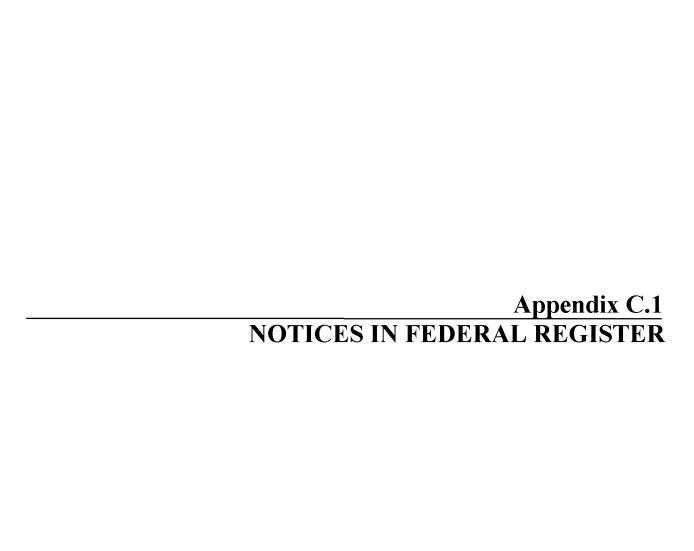


APPENDIX C



NOTICES OF INTENT

- A. Notice of Intent of March 27, 1998
- B. Supplemental Notice of Intent of August 20, 1999

For information on the public docket, contact Carol Kelley, Coast Guard Dockets Team Leader or Paulette Twine, Chief, Documentary Services Division, U.S. Department of Transportation, telephone 202–366–9329; for information concerning the notice of meeting contact Joyce Short, U.S. Coast Guard (G-M-2), 2100 Second St., SW., Washington, DC 20593–0001, telephone 202–267–6164.

SUPPLEMENTARY INFORMATION:

Need for Correction

The Coast Guard published a document in the Federal Register of March 18, 1998 (63 CFR 13295), which announced the dates and locations of 6 listening sessions to gather data and opinions for a development of a customer-based strategy for waterways, ports, and their intermodal connections. That document published an incorrect address for the public meeting in Oakland, CA. This document corrects that address.

In notice FR Doc. 98–7034 published on March 18, 1998 (63 CFR 13295), make the following corrections:

1. On page 13296, first column, under ADDRESSES: correct the address for Oakland, CA to read: "Oakland, CA—Port of Oakland, Board Room, 2nd Floor, 530 Water Street, Oakland, CA 94607".

Dated: March 23, 1998.

R.C. North.

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 98-8119 Filed 3-26-98; 8:45 am] BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Clark County, Indiana and Jefferson County, KY

AGENCY: Federal Highway Administration (FHWA), DOT. ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for the proposed construction of two new Ohio River Crossings on new alignments including approaches, and connections to existing roadway systems.

FOR FURTHER INFORMATION CONTACT: Jesse A. Story, Division Administrator, Federal Highway Administration, John C. Watts Federal Building and U.S. Courthouse, 330 W. Broadway, Frankfort, Kentucky 40601. Telephone: (502) 223-6720, Fax: (502) 223-6735.

SUPPLEMENTARY INFORMATION: The FHWA in cooperation with the Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC) will prepare an EIS for the construction of two new river crossings in the vicinity of Jeffersonville and Utica, Clark County, Indiana, and Louisville and Prospect, Jefferson County, Kentucky.

The study will build upon the purpose and need and alternatives analysis resulting from the Ohio River Major Investment Study (ORMIS) Final Report (April 1997). The EIS will discuss environmental, social and economic impacts associated with the development of the proposed action.

Several public meetings have been held in conjunction with the ORMIS study. Notification of future public meetings and hearings will be advertised. Public notice will be given of the time and place of the public hearing. The Draft Environmental Impact Statement will be available for public and agency review and comment. The scoping process will build upon ORMIS's public and agency involvement and will be used to identify significant issues to be addressed in the EIS.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program No. 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to the program)

Issued on: March 18, 1998.

Jesse A. Story,

Division Administrator, Frankfort, Kentucky. [FR Doc. 98–8103 Filed 3–26–98; 8:45 am]
BILUNG CODE 4910–22-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Supplementary to the Draft Environmental Impact Statement: Crawford and Perry Counties, IN

ACTION: Notice of intent.

SUMMARY: The Federal Highway Administration (FHWA) is issuing this notice to advise the pubic that a

Supplementary to the Draft Environmental Impact Statement will be prepared for the proposed construction of a new road section of State Road 145 from Interstate 64 near the town of St. Croix northward to the existing intersection of State Road 145 and State Road 64 for an approximate distance of 8.3 to 9.6 miles depending on the alternate selected. The project is located in the southern Indiana counties of Crawford and Perry. The Draft Environmental Impact Statement was accepted by the FHWA on April 1, 1996 and was circulated for comments. The Supplement will better define the purpose and need of the proposed action. Additionally, another alternate will be discussed to fully cover the proposed improvement area.

FOR FURTHER INFORMATION CONTACT: Mr. Douglas N. Head, Program Operations Engineer, Federal Highway Administration, Federal Office Building, 575 North Pennsylvania Street, Room 254, Indianapolis, Indiana, 46204. Telephone (317) 226–5353.

SUPPLEMENTARY INFORMATION: The Federal Highway Administration, in cooperation with the Indiana Dept of Transportation, will prepare a supplement to the Draft Environmental Impact Statement on these additional items covering the proposed State Road 145 and its alternatives in Crawford and Perry counties. The discussions of proposed alignments in the Draft Environmental Impact Statement are still valid. The Supplement will provide a revised purpose and need of the planned improvement as well as another alternate not discussed in the Draft Environmental Impact Statement.

Since the additional alternate is being developed to consider all feasible alternates, additional coordination will be done with appropriate agencies. No formal scoping meetings are planned for these alterations to the approved Draft Environmental Impact Statement. An additional public hearing will be scheduled to discuss the additional information being developed for the proposed action. The Supplemental Draft Environmental Impact Statement will be made available for public and agency review and comment.

To ensure that the full ranges of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the Supplemental EIS should be directed to FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program No. 20.205, Highway Research, The Act requires that by August 19, 1999, each agency must establish a point of contact for small businesses "with respect to problems arising out of Y2K failures and compliance with Federal rules or regulations."

The Department's point of contact for this purpose is Gerardo Franco, Department of Transportation, 400 7th Street SW., Washington, DC 20590, (202) 366-1902.

Small businesses may also directly contact the Department's constituent agencies about these problems. More information about Y2K and a list of the DOT agencies' small business liaison officers may be obtained through our Office of Small and Disadvantaged Business Utilization's Internet website at: http://osdbuweb.dot.gov.

Rosalind A. Knapp,

Deputy General Counsel.
[FR Doc. 99–21773 Filed 8–18–99; 11:46 am]
BILLING CODE 4910–62–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Aberdeen Regional Airport, Aberdeen, SD

AGENCY: Federal Aviation Administration (FAA) DOT. ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Aberdeen Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comment must be received on or before September 20, 1999.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation
Administration, Bismarck Airports
District Office, 2000 University Drive,
Bismarck, North Dakota 58504. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Rebecca L. Hupp,
Airport Manager, of the Aberdeen
Regional Airport at the following address: City of Aberdeen, 123 South
Lincoln Street, Aberdeen, SD 57401.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Aberdeen under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Irene R. Porter, Manager, Bismarck Airports District Office, 2000 University Drive, Bismarck, North Dakota 58504, (701) 250–4385. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Aberdeen Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). On August 5, 1999, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Aberdeen was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than November 9, 1999.

The following is a brief overview of the application.

PFC application number: 99–01–C–00–ABR.

Level of the proposed PFC: \$3.00. Proposed charge effective date: January 1, 2000.

Proposed charge expiration date: April 30, 2007.

Brief description of proposed project(s): (1) Acquire Snow Removal Equipment (plow truck and sander); (2) Acquire Snow Removal Equipment (snow blower and broom); (3) Rehabilitate Taxiway "D"; (4) Reconstruct Taxiway "B"; (5) Reconstruct and Narrow Runway 13/31; (6) Construct Taxiway "C"; (7) Reconstruct Runway 17/35; (8) Extend Runway 17/35; (9) Acquire Airport Rescue and Fire Fighting Vehicle; (10) Prepare Passenger Facility Charge Application. Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators Filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under FOR FURTHER INFORMATION CONTACT. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Aberdeen Regional Airport.

Issued in Des Plaines, Illinois on August 12, 1999.

Henry Lamberts,

Acting Manager, Planning and Programming Branch Airports Division, Great Lakes Region. [FR Doc 99–21649 Filed 8–19–99; 8:45 am] BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Clark County, Indiana and Jefferson County, Kentucky

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Supplemental notice of intent.

SUMMARY: The FHWA is issuing this supplemental notice to advise the public of the ongoing scoping process for an environmental impact statement (EIS) for the proposed construction of two new Ohio River crossings, including approaches and connections to existing roadway systems, between Clark County, Indiana, and Jefferson County, Kentucky. The FHWA previously published a notice of intent on March 27, 1998, for the preparation of an EIS for the proposed project. This supplemental notice of intent describes in greater detail the scoping process that FHWA, in cooperation with the Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC), is utilizing to identify the significant issues to be addressed in the EIS. The purpose of the scoping process is to obtain the views of other Federal, State, and local agencies and the public regarding the scope of the

FOR FURTHER INFORMATION CONTACT: Contact: Jesse A. Story, Division Administrator, Federal Highway Administration, John C. Watts Federal Building and U.S. Courthouse, 330 W. Broadway, Frankfort, Kentucky 40601; Telephone: (502) 223-6720; Fax: (502) 223-6735; Pete Wolff, Kentucky Transportation Cabinet, Telephone: (502) 564-4780; Steve Cecil, Indiana Department of Transportation, Telephone: (317) 232-5468; or the project consultant, Community Transportation Solutions, Inc., 10000 Shelbyville Road, Louisville, Kentucky 40223; Telephone: (502) 253-9221 or (800) 513-6691; Fax: (502) 253-9520. SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Pulletin Board Service at (202) 512– .661. Internet users may reach the Office of the Federal Register's home page at: http://www.nara.gov/fedreg and the Government Printing Office's database at: http://www.access.gpo.nara.

Background

As stated in FHWA's March 27, 1998 notice of intent (63 FR 14989), the EIS will build upon the work performed previously for the Ohio River Major Investment Study (ORMIS), and will discuss the environmental, social and economic impacts associated with the development of the proposed action and

a range of alternatives.

The scoping process for the EIS builds on the extensive public and agency involvement that occurred during ORMIS and the public involvement activities that have occurred since the publication of the March 27, 1998 notice of intent. As part of those activities, a Federal agency finding was held on October 6, 1998, to introduce interested Federal agencies to the proposed project. Two public information meetings were held on December 1-2, 1998, in Jeffersonville, Indiana, and Louisville, Kentucky, respectively, to introduce the public to the proposed

roject and to answer questions about 1e EIS process. Briefings for Indiana and Kentucky State agencies were held on February 10 and February 16, 1999, respectively. Two additional public information meetings were held on April 14-15, 1999, in Jeffersonville, Indiana, and Louisville, Kentucky, to allow members of the public to provide comments concerning the scope of, and significant issues to be addressed in, the EIS.

A project web site has been established at www.kyinbridges.com and a quarterly newsletter entitled "Riverlink" began publication in November 1998. A mailing list is being maintained of all those members of the public who have requested notice of meetings, hearings, and/or the availability of information and documents concerning the proposed action. Public comments on the project may be submitted in writing, care of Community Transportation Solutions Inc., 10000 Shelbyville Road, Louisville, KY 40223: via electronic mail at the project web site; by facsimile at 502-253–9520; or by calling the project's toll-free number at 800-513-6691.

In addition to the foregoing roportunities for public participation, oping meetings will be held in

september 1999. A Federal and State agency scoping meeting will occur on

September 8, 1999, at 9 a.m., in Room 105, South Wing, Kentucky Fair and Exposition Center, Louisville, Kentucky, to solicit agency input concerning the scope of the EIS. The public is invited to two public meetings, to be held as follows: September 1, 1999, at 6 p.m., at the Jeffersonville High School cafeteria, Clark County, Indiana; and September 2, 1999, at 6 p.m., at the Ballard High School cafeteria, Jefferson County, Kentucky. A scoping document that describes current alternatives under consideration and identifies currently known relevant issues can be obtained from the project web site (www.kyinbridges.com) or the project consultant's office.

Additional public and agency meetings are anticipated during the preparation of the EIS to allow the public and agencies to remain informed and provide input into the preparation of the EIS. A Regional Advisory Council and four Area Work Groups have been formed to provide a more formal method of input from affected constituencies within the project area. The Regional Advisory Council will address regional goals relating to transportation, economic development, and quality of life. The Area Work Groups will address issues of concern to specific geographic areas potentially affected by the proposed action and alternatives. All meetings of these groups are open to the public. Information on the membership of these groups and their meeting dates can be obtained from project web site or by contacting Community Transportation Solutions, Inc., at 800-513-6691, Finally, the release of the draft EIS for public comment and the date of the formal public hearing will be announced to the public as such dates are established.

Comments on the scope and significant issues to be addressed in the EIS, or questions concerning this proposed action and the EIS process, may be submitted to the FHWA at the address provided above, or to the project consultant through one of the methods identified above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this

(23 U.S.C. 315; 49 CFR 1.48) ·

Issued on August 12, 1999. Assistant Division Administrator, Frankfort. Kentucky. [FR Doc. 99-21451 Filed 8-19-99; 8:45 am] BILLING CODE 4910-22-M

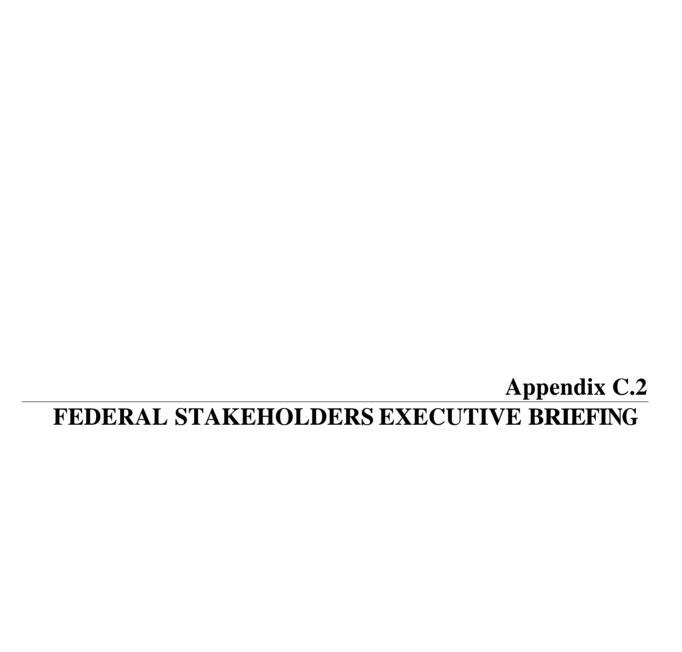
DEPARTMENT OF TRANSPORTATION

Federal Highway Administration Federal Transit Administration

Draft Environmental Impact Statement: Denver, Arapahoe, and Douglas **Counties**

AGENCIES: Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), DOT. ACTION: Notice of availability.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, the FHWA and FTA, in cooperation with the Colorado Department of Transportation (CDOT) and the Regional Transportation District (RTD), have jointly prepared a Draft environmental impact statement (EIS) for proposed transportation improvements in the Southeast Corridor of the Denver, Colorado metropolitan area. The project is within the municipalities of Denver, Arapahoe and Douglas Counties. The Draft EIS identifies a preferred alternative and the associated environmental impacts of the proposed preferred alternative. Interested citizens are invited to review the Draft EIS and submit comments. Copies of the Draft EIS may be obtained by telephoning or writing the contact person listed below under Addresses. Public reading copies of the Draft EIS are available at the locations listed under Supplementary Information. DATES: A 45-day public review period will begin on August 20, 1999 and conclude on October 5, 1999. Written comments on the scope of the alternatives and impacts to be considered must be received by CDOT by October 4, 1999. Public hearings to receive oral comments on the Draft EIS will be held in two locations in Denver. See Supplementary Information section for hearing dates and locations. ADDRESSES: Written comments on the Draft EIS should be addressed to Jim Bumanglag, Project Manager, Colorado Department of Transportation, Southeast Corridor, 4201 East Arkansas, Denver, CO 80222. Requests for a copy of the Draft EIS may be addressed to Mr. Bumanglag at the address above. Please see Supplementary Information section for a listing of the available documents and formats in which they may be



FEDERAL STAKEHOLDERS EXECUTIVE BRIEFING OF OCTOBER 6, 1998

FEDERAL STAKEHOLDERS EXECUTIVE BRIEFING LOUISVILLE-SOUTHERN INDIANA OHIO RIVER BRIDGES EIS AND PRELIMINARY DESIGN

OCTOBER 6, 1998

The Federal Stakeholders Executive Briefing was held for the Louisville-Southern Indiana Ohio River Bridges EIS and Preliminary Design on October 6, 1998 at 9:00 AM. in Room 105, South Wing, Kentucky Fair and Exposition Center in Louisville, Kentucky. Individuals in attendance and their affiliations are included on the attached listing. The meeting was hosted by the FHWA – Kentucky to acquaint the federal resource agencies with information concerning the project history, schedule and potential impact issues and to initiate the interagency coordination process.

Mr. Story and Mr. Fendrick welcomed meeting participants. Since the Ohio River serves as a jurisdictional dividing line for several of the federal agencies, both individuals urged cooperation in responding to coordination requests. It was further requested that intra-agency coordination occur, and that one office be designated as the coordination lead within a particular agency. Mr. Story reiterated that the meeting was scheduled to establish a collaborative process for federal stakeholders, and that a similar function was to be scheduled with state and local agencies at a later date.

Following these opening remarks, Secretary Codell and Commissioner Wiley also welcomed the agency representatives. Secretary Codell stated that this is a model project that can demonstrate how federal, state and local agencies can partner together for the common good. Commissioner Wiley expressed confidence in the consultant team of Community Transportation Solutions (CTS), and urged the federal agencies to streamline the review process for timely project completion.

The final welcome was by Mr. Cleckley. He supported the premise that the involvement of different levels of government each with a different responsibility could be managed in a collaborative process. He stated that this project presented a unique opportunity to integrate environmental and transportation decisions early in project development, and that public involvement was key to successfully completing the process.

Two (2) videos were shown following these introductions. The first one described a successful collaborative process used by the Missouri DOT to bring a transportation project to fruition in Branson, Missouri. The second video was of a portion of a public forum held in Louisville as part of the ORMIS study in 1996.

John Clements, project manager for CTS, provided an overview of the proposed project. His presentation included formation of the joint (consultant) venture, project scope and schedule, and identification of key stakeholder issues.

Following lunch, the resource agencies identified their concerns and areas of expertise. The following summarizes that open discussion by agency.

INDOT – Steve Cecil

Urged adoption of the "Concurrent NEPA/404 Processes for Transportation Projects" on this project, presently in use in Indiana. Indicated that concurrence points be established within the project development schedule. These concurrence points would allow the resource agencies to reach agreement on a particular issue before proceeding to subsequent phases in the project development.

Corps of Engineers - Jim Townsend

Stated that the Louisville District would be the contact for the Corps of Engineers under Section 404 (Clean Water Act); Section 9 and 10 (River and Harbors Act) coordination would be the responsibility of the Coast Guard.

Endorsed the NEPA/404 processes merger. As noted, it is in use in Indiana, but not Kentucky.

Stated that mitigation of wetland impacts would be project specific. Mitigation banking is a plausible option.

At the request of Mr. Fendrick, Mr. Townsend indicated that he would research the existing (if any) flood protection planning for the project area. Additional coordination is forthcoming.

Coast Guard - Roger Wiebusch

Stated that the Coast Guard, St. Louis District, would issue the bridge(s) construction permit(s). Requested early involvement in the project process to coordinate navigation control and pier placement. Stated that the EIS would be used to support the bridge(s) construction permit(s) application; as such, a discussion of navigation control on the Ohio River is necessary in the document.

Indicated that the proposed bridge(s) must be designed to pass the 500 year flood. Bridge spans over the adjacent floodplains may be required, and are to be determined.

Kentucky State Historic Preservation Officer - David Morgan

Stated that eastern Jefferson County was a rich area of historical resources. Indicated that encroachment of any proposed alignment upon these resources would perpetuate significant impacts, especially noise/vibration impacts.

Requested that the proposed project be coordinated with the Louisville water filtration towers project. This latter project proposes the construction of a corridor of 12 water filtration towers to purify drinking water drawn from the Ohio River. Minimization of impacts of the two (2) projects may be possible.

Indicated that an historic study of eastern Jefferson County (sponsored in part by River Fields, Inc.) should be completed in February 1999. Various National Register of Historic Places nominations will accompany the report. Mr. Morgan stated that the report will be an excellent source of historic data for use by CTS.

U.S. Fish and Wildlife Service, Bloomington Field Office - Mike Litwin

Commented that the proposed project was within the habitat range of the federally endangered Indiana bat and gray bat. Mr. Vlach replied that a formal request would be made to the service to identify known threatened and endangered species habitat for inclusion on the environmental constraints map.

Stated that the proposed project could cause fragmentation of habitat, especially at stream corridors. The EIS needs to address this impact.

U.S. EPA - Allen Lucas and Allen Powell

Indicated that the EIS should contain sufficient graphics, aerial photographs, mapping and the like to facilitate their review. Commented that their review would be coordinated with the U.S. EPA – Region V.

Replied that no significant impacts are foreseen in the downtown area upon resources within EPA jurisdiction. Responded that floodplain impacts are anticipated by the east end alternatives.

Stated that if the proposed project is included in the TIP, and if the TIP is in compliance with the SIP, EPA will have no adverse comments on air quality conformity issues. The EPA was assured that the proposed project was an element of the TIP; therefore, conformity with air quality is assured.

FTA - M.R. Immings

Indicated that coordination with TARC should be continuous throughout project development. This coordination will be undertaken as requested.

Stated that the FTA may be requested by the FHWA to participate in project development as a cooperating agency. Ms. Immings was unsure of the status of this request.

Doe-Anderson - Kay Stewart

Mrs. Stewart provided an overview of the public involvement process and the role of Doe-Anderson in this effort. To assist CTS, Mr. Cecil (INDOT) and Mr. Smith (KYTC) offered the services of the public information departments of each agency.

Mrs. Stewart was questioned about the communication of specific decisions to the public. She replied that the communication of concerns and appropriate responses (decisions) was an element of the public involvement process.

National Register of Historic Places - Linda McClelland

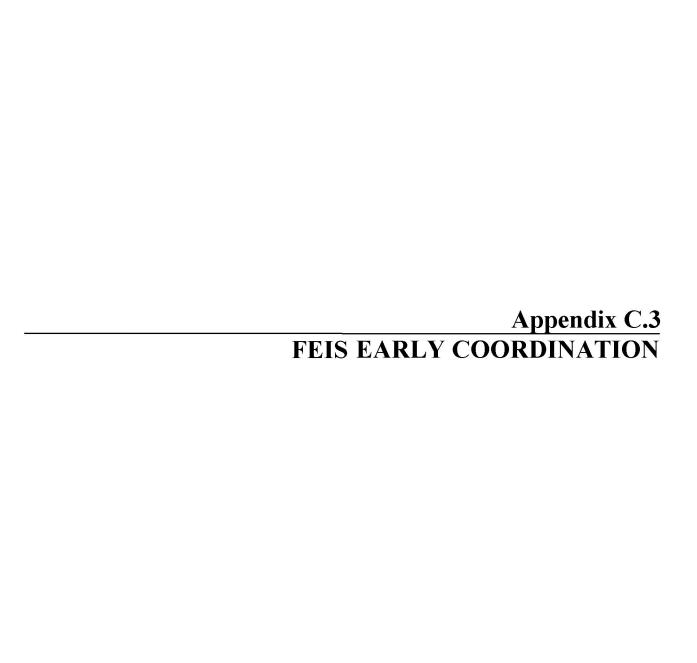
Stated that the involvement of her agency would be initiated through the State Historic Preservation Office of both states. Any requested assistance would be provided.

Advised CTS to view the historical resources not just as solitary structures, but as landscapes. The adjacent landscapes are viewed as contributing to the historical significance of various structures, especially in Harrods Creek and Prospect.

Attendees

Introductory Remarks:

Name	Affiliation	<u> Felephone</u>		
Curt Wiley	Commissioner, INDOT	317-232-5526		
James Codell, III	Secretary, KYTC	502-564-4890		
	FHWA – Kentucky	502-223-6720		
******	FHWA – Indiana	317-226-7475		
THE TOMATION	FHWA – Washington, D.C.	- -		
Eugene Cleckley	111471 Washington, D. C.			
Project Briefing and Open Discussions:				
Steve Cecil	INDOT	317-232-5468		
Sherrill Smith	KYTC	502-367-6411		
Dennis Luhrs	FHWA – Kentucky	502-223-6723		
Robert Farley	FHWA – Kentucky			
Larry Heil	FHWA – Indiana	317-226-7491		
Joyce Newland	FHWA - Indiana	317-226-5353		
Dan Donovan	FHWA - Chicago	708-283-3538		
John Humeston	FHWA – Atlanta	404-562-3667		
Linda McClelland	National Register of Historic Places	202-343-9544		
M.R. Immings	FTA – Region IV	404-562-3508		
Jim Townsend	U.S. Army Corps of Engineers	502-582-6291		
Timothy Merritt	U.S. Fish and Wildlife Service	931-528-6481		
Mike Litwin	U.S. Fish and Wildlife Service	812-334-4261		
Allen Lucas	U.S. EPA	404-562-9624		
Allen Powell	U.S. EPA	404-562-9624		
Roger Wiebusch	U.S. Coast Guard	314-539-3900		
J.W. Johnson	U.S. Coast Guard	502-582-5194		
David Morgan	Kentucky State Historic			
8	Preservation Officer	502-564-7005		
Kevin Flanery	KYTC			
Cheryl Caldwell	KYTC			
John Mettille, Jr.	KYTC	502-564-7250		
Mike Hancock	KYTC	502-564-3730		
Bill Monhollon	KYTC	502-367-6411		
Richard Dutton	KYTC	502-564-7250		
R.W. Griffith	River Fields, Inc.	502-681-0422		
John Clements	Community Transportation Solutions (CTS)	502-253-9221		
Jere Hinkle	CTS	502-253-9221		
Bill Carwile	CTS	502-253-9221		
Jeff Vlach	CTS	502-253-9221		
Kay Stewart	Doe-Anderson/CTS	502-560-7309		
Tim Hagerty	Brown, Todd and Heyburn/CTS	502-568-0268		





FEIS EARLY COORDINATION

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TITOTOTION JUD	1 201441 5 , 2001	200

ANNE M. NORTHUP
380 DISTRICT, KENTUCKY

WASHINGTON OFFICE:
1004 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
202-225-5401
FAX: 202-225-5776
Jp.northup@mail.house.gov

DISTRICT OFFICE:

MAZZOLI FEDERAL BUILDING

500 MARTIN LUTHER KING JR. PLACE
SUITE 216

LOUISVILLE, KY 40202

502–582–5129

FAX: 502–582–5897



COMMITTEE:

APPROPRIATIONS

SUBCOMMITTEES: LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

TREASURY, POSTAL SERVICE,

AND GENERAL GOVERNMENT

VA, HUD, AND INDEPENDENT

AGENCIES

Congress of the United States House of Representatives Washington, DC 20515

February 26, 1999

Mr. John Clements
Project Manager
Community Transportation Solutions, Inc.
Ten Thousand Building, Suite 110
Shelbyville Road
Louisville, Kentucky 40223

Dear John:

Doug Cobb, the President and CEO of Greater Louisville Inc., has proposed changes to I-64 in downtown Louisville. I would like to present his ideas to you and ask if it is feasible for you to address these infrastructure changes in your Environmental Impact Statement.

Specifically, I-64 would be rerouted north through eastern Jefferson County, along the current I-264, then would go across the new east-end bridge through Southern Indiana and rejoin I-64 west of New Albany. In downtown Louisville, two miles of the existing I-64 would be removed from the Kennedy Bridge to Ninth Street. The remaining portion of what is now I-64 would be redesignated as I-364 and would be retained for downtown access from the east and west. A map of this proposed configuration is enclosed for your review.

The rerouting of I-64 would have significant benefits for Louisville. First, removing I-64 from downtown would restore access from downtown Louisville to the riverfront. It would remove a major source of air pollution by rerouting all through-traffic north (downwind) of the city, helping the community attain federal air quality standards. It would ease congestion on I-64, which is now at or near capacity and is unlikely to be widened due to the Cochran Hill tunnel. In addition, eliminating the downtown section of I-64 would simplify the redesign of Spaghetti Junction.

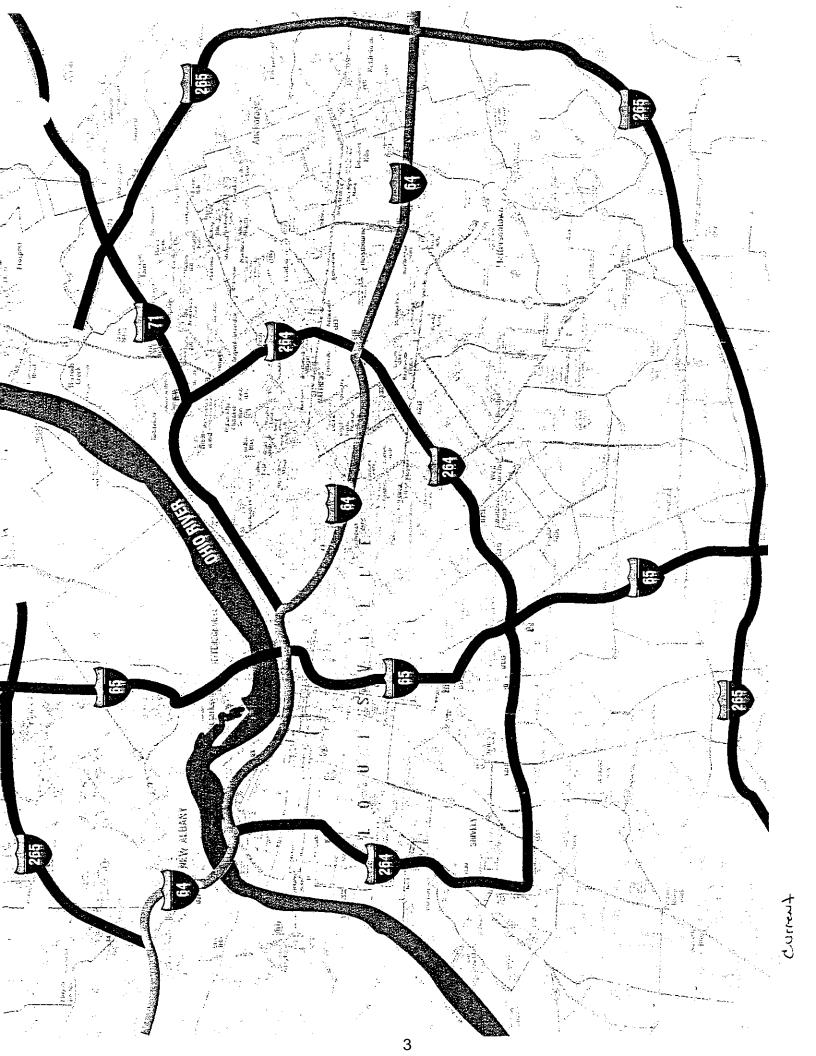
Please review this proposal and advise whether you will be able to incorporate it into your Environmental Impact Statement. If you need additional information, please feel free to call my District Director Sherri Craig or me at (502) 582-5129. Thank you, in advance, of your consideration of this request.

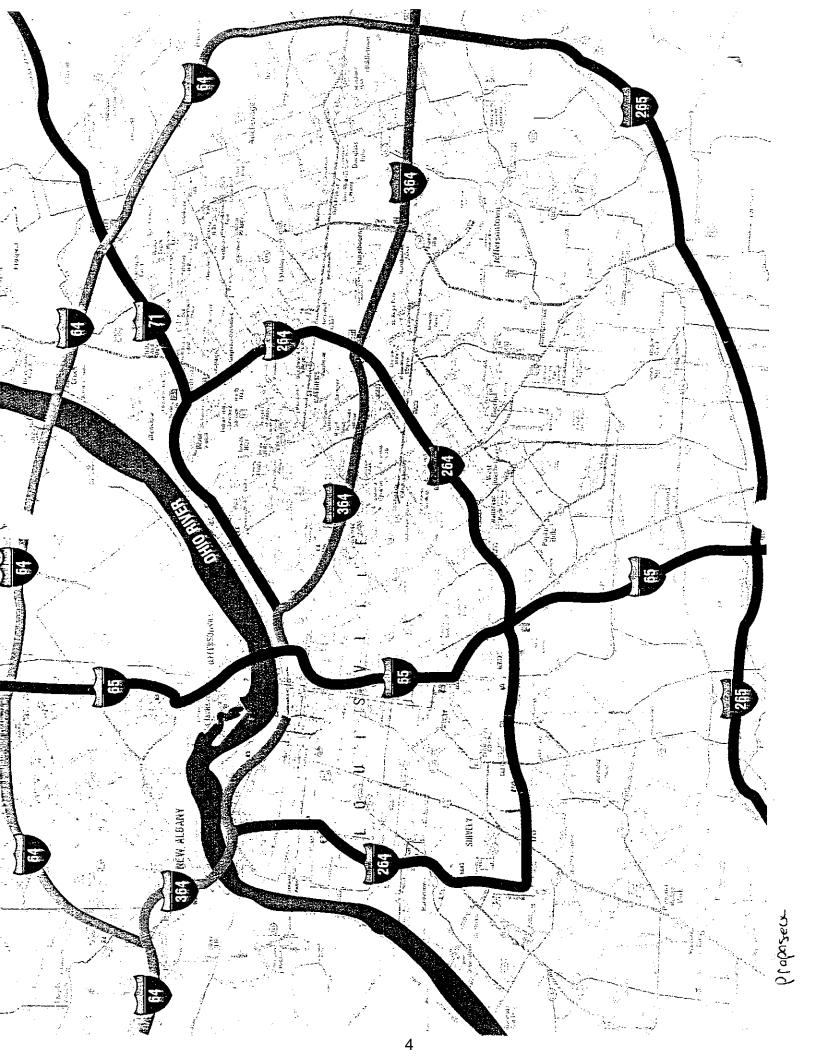
Sincerely,

Anne M. Northup

Member of Congress

AMN:sc







United States Department of the Interior

FISH AND WILDLIFE SERVICE 446 Neal Street Cookeville. Tennessee 38501

November 2, 1998

Mr. Bill Carwile Community Transportation Solutions Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, Kentucky 40223

Dear Mr. Carwile:

Thank you for your letter and enclosures of October 15, 1998, concerning the proposed construction of two new crossings of the Ohio River between Clark County, Indiana, and Jefferson County, Kentucky. The Fish and Wildlife Service (Service) has reviewed the information submitted and offers the following comments.

According to our records, the following threatened and endangered species are known to occur in Jefferson County, Kentucky, and may occur in the project impact area:

Indiana bat - Myotis sodalis
Gray bat - Myotis griscescens
Peregrine falcon - Falco pergrinus
Running buffalo clover - Trifolium stoloniferum
Short's goldenrod - Solidago shortii
Pink mucket pearly mussel - Lampsilis orbiculata
Orange-footed pearly mussel - Plethobasus cooperianus

You should assess potential impacts and determine if the proposed project may affect these species. A finding of "may affect" could require initiation of formal consultation. We would appreciate a copy of any survey report on these species done for this project, as well as your determination of effect.

We recommend that you contact our Bloomington, Indiana, field office for information on threatened and endangered species in Indiana. Thank you for the opportunity to comment on this proposal. If you have questions, please contact Timothy Merritt of my staff at 931/528-6481, ext. 211.

Sincerely,

Lee A. Barclay, Ph.D.

Field Supervisor

Mr. Wayne Davis, KDFWR, Frankfort, KY XC:

Mr. Eric Somerville, EPA, Atlanta, GA

Mr. Jeff Grubbs, KDW, Frankfort, KY

pam

From: Sent:

Timothy_Merritt@fws.gov

Wednesday, April 26, 2000 10:34 AM

Peggy Measel

.bject:

Re: Louisville Bridges project

Ms. Measel,

We also encourage the conducting of further mist netting and telemetry efforts to determine where the Indiana bat maternity sites area located. Jim Widlak in our office says that he feels the best time to do this would be between May 15 and the end of June. We are very interested in the results for both the Indiana and Gray bats. If a maternity colony of Indiana bats are located, we would like as much information as possible on the estimated number of bats using the tree, the type and size of the tree, a description of the surrounding habitat, and if possible a location that includes the latitude and longitude. Thanks for keeping in touch and we will look forward to your results.

"Peggy Measel" tants.com>

To:

<timothy_merritt@fws.gov>

cc:

Subject:

Louisville Bridges project

04/21/00 08:27 AM

J. Merritt,

I would like to touch base with you as the USFWS representative for this project. Last season, through mist-netting efforts within the project corridor, we caught 2 lactating Indiana bats, and a number of male Gray bats. On the directives of KDOT, we are conducting further netting and telemetry efforts for both species of bats, particularly the Indianas so that we can determine if any maternity sites occur within the direct path of

any proposed alignment. These studies will assist in choosing the preferred alternative for the bridge and associated roadway. I am asking for a response from you with your thoughts and directives on our planned work for this season.

Peggy Measel Chief Biologist, HMB

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES) 620 South Walker Street Bloomington, IN 47403-2121 (812) 334-4261 FAX (812) 334-4273

November 6, 1998

Mr Jeffrey Vlach Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, Kentucky 40223

Dear Mr. Vlach:

This responds to your letter of October 9, 1998 to the U.S. Fish and Wildlife Service (FWS) requesting endangered/threatened species information for the Ohio River Bridges Project in Clark County, Indiana and Jefferson County, Kentucky. This letter provides information on federally listed species in Indiana only. Please contact the Indiana Department of Natural Resources for information on State-listed species. Information for the Kentucky portion of the project will come under separate cover from our Cookeville, Tennessee office.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U.S. Fish and Wildlife Service's Mitigation Policy.

The proposed project is within the range of the federally endangered Indiana bat (Myotis sodalis) and gray bat (Vigrisescens), and federally threatered bald Eagle (Haliaeetus leucocephalus). There are no recent records of federally listed mussels in the Indiana portion of the Ohio River within the study area, however our Cookeville office may have concerns about mussels within the Kentucky portion of the river.

Clark County has recent wintering records of bald eagles, however it is not considered a primary wintering area and there are no known eagle nests on the Ohio River or elsewhere in Indiana near the study area. Potential wintering habitat consists of forested areas near large waterbodies (such as the Ohio River), with large trees suitable for use as perches.

The range of Indiana bats is statewide in Indiana. Winter hibernating habitat is restricted to a small number of suitable caves, while preferred summer reproductive/foraging habitat consists of relatively undisturbed forested areas, typically associated with streams, drainageways or other water resources. Large forest blocks with networks of waterways have the highest probability of

supporting a maternity colony, but colonies have been found in more fragmented complexes of woodlots and streams There is one current Indiana bat record in Clark County, within the Silver Creek watershed.

In the project area, all forested riparian corridors and forest patches near waterways should be considered potential habitat for Indiana bats. Examples of such habitat are the Lentzier Creek corridor and the forested drainageway tributary to the Ohio River immediately upstream from Utica.

The gray bat is primarily a southeastern species. It resides in caves year-around, but migrates between summer roost caves and winter hibernaculae (none of which are known in Indiana) Summer foraging habitat consists of forested waterways and foraging is primarily over water. It's occurrence in Indiana is limited to Clark, Crawford, Floyd and Harrison Counties in the southeastern portion of the state, with the only known (summer) colonies in Clark County

Recently, gray bats have been captured in surveys on the Indiana Army Ammunition Plant (INAAP) near Charlestown, and it appears likely that there is one or more summer roosting colonies as well as nightly foraging on the Army base. The upsteam end of the project area is adjacent to INAAP and therefore in close proximity to know occurrences of this species. Potential habitat in the project area includes all waterways with wooded riparian corridors. Additionally, any caves within the project area could provide summer roosting habitat.

For further discussion, please contact Mike Litwin at (812) 334-4261 ext. 205. Sincerely yours,

Muchael L. Paturin

Acting Supervisor

cc: IDEM, Office of Water Management (Compliance), Indianapolis, IN Steve Jose, Indiana Division of Fish and Wildlife, Indianapolis, IN Federal Highway Administration, Indianapolis, IN Manager, Environmental Assessment, INDOT, Rm 1107, Indianapolis, IN Tim Merritt, USFWS, Cookeville, TN Regional Director, FWS, Twin Cities, MN (ES-DHC)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES) 620 South Walker Street Bloomington, IN 47403-2121 (812) 334-4261 FAX (812) 334-4273

February 5, 1999

Mr. Steve D. Cecil Division of Preliminary Engineering and Environment Department of Transportation 100 North Senate Avenue, Room N848 Indiana Government Center North Indianapolis, Indiana 46204-2249

Project:

Louisville-Southern Indiana Ohio River Bridges

Work Type: Construction of new bridges and approach roads

County(ies): Clark County, Indiana and Jefferson County, Kentucky

Dear Mr. Cecil:

This responds to your letter dated December 22, 1998 requesting U.S. Fish and Wildlife Service (FWS) comments on the aforementioned project. Our comments here will address areas of concern in the Indiana portion of the project area only, with the exception of endangered species. As this project encompasses 2 FWS offices in 2 separate regions (the Bloomington, Indiana office in Region 3 and the Cookeville, Tennessee office in Region 4), we will soon designate a lead office to represent us in all formal coordination.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's . Mitigation Policy.

Ohio River

The Ohio River contains a diverse array of aquatic fish fauna, including many game species, several commercial species, and a large variety of non-game species. The project should be planned and designed to minimize impacts on fish habitat such as shoreline habitat and spawning areas.

Based on the major riverwide mussel surveys of Williams and Schuster (1982) and Clarke (1995) we are not aware of any mussel beds in the Ohio River in the project area, however this does not preclude the possibility of the presence of low concentrations of mussels. An intensive survey for rare mussels is advisable for portions of the river channel that will be directly affected by construction or sedimentation.

The possibility of contaminants in river sediments to be excavated must be addressed. You should consult with the Indiana Department of Environment concerning this issue.

Streams and Riparian Habitat

As stated in your letter, the study area on the Indiana side of the river includes 2 streams: Lancassange Creek and Lentzier Creek. Both streams contain fairly extensive wooded riparian corridors in some reaches. The FWS' Bloomington Field Office conducted surveys of fish and terrestrial wildlife in and along Lancassange Creek in 1982, as part of our review of a proposed U.S. Army Corps of Engineers project. The results of those surveys, including 22 species of fish and a large variety of birds and other terrestrial wildlife, indicate that Lancassange Creek provides substantial aquatic and terrestrial habitat. We are not aware of similar surveys for Lentzier Creek, but site-specific surveys would be advisable for both streams when prospective crossing sites are identified. The project should be designed to minimize loss and fragmentation of riparian forest and adverse impacts on aquatic fauna and habitat.

Other Habitats

Other habitats in the study area include woodlots and successional fields. The project should be designed to minimize losses and fragmentation of these habitats also. Project analysis should identify habitat loss and fragmentation effects for all considered alternatives.

Endangered Species

Please refer to our previous letters concerning identification of potential endangered species concerns in Indiana. Our most recent letter to Mr. Jeffrey Vlach, with copy to INDOT, was dated November 6, 1998. Attached is a copy of our Cookeville, Tennessee office's most recent letter concerning federally listed species on the Kentucky side of the Ohio River in the project area.

If new crossings of wooded portions of Lancassange Creek, Lentzier Creek, forested waterways in Kentucky, or other potential habitat for Indiana bats or gray bats will be affected by the project, coordination will be necessary pursuant to Section 7 of the Endangered Species Act. Depending on the quality of affected habitat and extent of impacts, appropriate measures to address these species may be limited to seasonal work restrictions, or bat surveys may be deemed necessary. If bat surveys are needed they should be conducted in accordance with FWS guidelines. If federally listed species are found in the study area, additional Section 7 consultation will be necessary to determine the project's affects on these species. To address the possible presence of the other federally listed species on the Kentucky list, it will be necessary to coordinate with state agency heritage programs, and possibly also to conduct additional field surveys.

Mitigation

Project planning should include compensatory mitigation for losses of wetland, riparian and aquatic habitats.

We appreciate the opportunity to comment at this early stage of project planning. For further discussion please call Mike Litwin at (812) 334-426l (Ext. 205).

Sincerely yours

Michael S. Litwin
Acting Supervisor

cc: Federal Highway Administration, Indianapolis, IN
Director, Indiana Div. of Fish & Wildlife, Indianapolis, IN
IDEM, Office of Water Management (Compliance), Indianapolis, IN
Steve Jose, Indiana Division of Fish and Wildlife, Indianapolis, IN
USFWS, Cookeville, TN
USFWS, Minneapolis, MN (ES-DHC)

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Bill Carwile Community Transportation Solutions Incorporated Ten Thousand Building, Suite 110 Louisville, Kentucky 40223

Dear Mr. Carwile:

Thank you for your letter and enclosures of October 15, 1998, concerning the proposed construction of two new crossings of the Ohio River between Clark County, Indiana, and Jefferson County, Kentucky. The Fish and Wildlife Service (Service) has reviewed the information submitted and offers the following comments.

According to our records, the following threatened and endangered species are known to occur in Jefferson County, Kentucky, and may occur in the project impact area:

Indiana bat - Myotis sodalis
Gray bat - Myotis griscescens
Peregrine falcon - Falco pergrinus
Running buffalo clover - Trifolium stoloniferum
Short's goldenrod - Solidago shortii
Pink mucket pearly mussel - Lampsilis orbiculata
Orange-footed pearly mussel - Plethobasus cooperianus

You should assess potential impacts and determine if the proposed project may affect these species. A finding of "may affect" could require initiation of formal consultation. We would appreciate a copy of any survey report on these species done for this project, as well as your determination of effect.

We recommend that you contact our Bloomington, Indiana, field office for information on threatened and endangered species in Indiana. Thank you for the opportunity to comment on this proposal. If you have questions, please contact Timothy Merritt of my staff at 931/528-6481, ext. 211.

Sincerely,

Lee A. Barclay, Ph.D. Field Supervisor

xc: Mr. Wayne Davis, KDFWR, Frankfort, KY Mr. Eric Somerville, EPA, Atlanta, GA Mr. Jeff Grubbs, KDW, Frankfort, KY

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United States Department of the Interior

NATIONAL PARK SERVICE

Midwest Support Office 1709 Jackson Street Omaha, Nebraska 68102-2571

NREPLY REFER TO 18-00014 (MWSO-P/G) 18-00029, 18-00053 18-00075, 18-00216 18-00248

Mr. Steve D. Cecil
Chief, Division of Preliminary
 Engineering and Environment
Indiana Department of Transportation
100 North Senate Avenue, Room 848
Indianapolis, Indiana 46204

Dear Mr. Cecil:

This is in response to your request to identify areas of concern in the placement of two new crossings of the Ohio River between Clark County, Indiana and Jefferson County, Kentucky.

Our records indicate there are several Land and Water Conservation Fund (L&WCF) projects located in the Clark County area, specifically in Jeffersonville. Within the study area from approximately the Falls of the Ohio river on the west to I-265 in Indiana on the north, we have identified the following L&WCF projects which could be adversely affected:

18-00014, Park Board Land Acquisition (Spring Hill Park)

18-00075, Spring Hill Park Swimming Pool

18-00248, Spring Hill Park Development

18-00053, Ash Estates (River City Park acquisition)

18-00216, River City Park (development)

18-00029, Jeffersonville School Park (acquisition)

Section 6(f)(3) of the L&WCF Act, as amended, states:

"No property acquired or developed with assistance under this section shall, without the approval of the Secretary [of the Interior], be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of a least equal fair market value and of reasonable equivalent usefulness and location . . ."

We suggest that the Department of Transportation bring the proposed construction to the attention of Mr. Larry D. Macklin, Director, Department of Natural Resources, 402 West Washington, Indianapolis, Indiana 46204.

Sincerely,

Robert Anderson Program Leader

Partnerships/Grants



DEPARTMENT OF THE ARMY

U.S. ARMY ENGINEER DISTRICT LOUISVILLE CORPS OF ENGINEERS P.O. BOX 59

LOUISVILLE, KENTUCKY 40201-0059

February 2, 1999

Operations Division Regulatory Branch (South) ID No. 199900083-kmh

Mr. Steve D. Cecil, Chief Division of Preliminary Engineering and Environment 100 N. Senate Avenue, Room 848 Indianapolis, Indiana 46204

Dear Mr. Cecil:

This is in reference to your letter describing the proposed placement of two new crossings of the Ohio River between Clark County, Indiana and Jefferson County, Kentucky and soliciting my comments. These crossings are under joint consideration by the Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet.

Thank you for including us in your early coordination effort. The project may qualify for Nationwide Permit (NWP) authorization pursuant to Section 404 of the Clean Water Act. Specifically, NWP 15, U.S. Coast Guard Approved Bridges, may authorize the bridges over the Ohio River. The additional crossings of tributaries may qualify for NWP 14, Road Crossings. Copies of these NWP's are enclosed.

INDOT is encouraged to consider alternatives that have minimal impacts on waters of the United States, including wetlands. We recognize that the Federal Highway Administration is the lead Federal agency responsible for meeting the requirements of the National Environmental Policy Act requirements.

We look forward to continued coordination with your office on this project to insure impacts on the aquatic environment, navigation, and flood control are minimized. Your planning should account for impacts to existing flood protection works at Jeffersonville, Clarksville, New Albany, and Louisville and the potential Greenway Project along the Indiana shoreline of the Ohio River. Attached are information sheets on each of these. If you have further questions, please contact Ms Kathleen Higgins at (502)582-5452.

502-582-5276

tames M. Townsend

incerely

Chief, Regulatory Branch

Operations Division

Enclosures

TERMS FOR NATIONWIDE PERMIT NO. 15

U.S. Coast Guard Approved Bridges. Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the United States, including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided such discharges have been authorized by the U.S. Coast Guard as part of the bridge permit. Causeways and approach fills are not included in this NWP and will require an individual or regional Section 404 permit. (Section 404)

TERMS FOR NATIONWIDE PERMIT NO. 14

Road Crossings. Fills for roads crossing waters of the United States (including wetlands and other special aquatic sites) provided the activity meets all of the following criteria:

- a. The width of the fill is limited to the minimum necessary for the actual crossing;
- b. The fill placed in waters of the United States is limited to a filled area of no more than 1/3 acre. Furthermore, no more than a total of 200 linear feet of the fill for the roadway can occur in special aquatic sites, including wetlands;
- c. The crossing is culverted, bridged or otherwise designed to prevent the restriction of, and to withstand, expected high flows and tidal flows, and to prevent the restriction of low flows and the movement of aquatic organisms;
- d. The crossing, including all attendant features, both temporary and permanent, is part of a single and complete project for crossing of a water of the United States; and,
- e. For fills in special aquatic sites, including wetlands, the permittee notifies the District Engineer in accordance with the "Notification" general condition. The notification must also include a delineation of affected special aquatic sites, including wetlands.

This NWP may not be combined with NWP 18 or NWP 26 for the purpose of increasing the footprint of the road crossing. Some road fills may be eligible for an exemption from the need for a Section 404 permit altogether (see 33 CFR 323.4). Also, where local circumstances indicate the need, District Engineers will define the term "expected high flows" for the purpose of establishing applicability of this NWP. (Sections 10 and 404)

NATIONWIDE PERMIT CONDITIONS

GENERAL CONDITIONS:

The following general conditions must be followed in order for any authorization by a NWP to be valid:

- 1. Navigation. No activity may cause more than a minimal adverse effect on navigation.
- 2. Proper maintenance. Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
- 3. Erosion and siltation controls. Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date.
- 4. Aquatic life movements. No activity may substantially disrupt the movement of those species of aquatic life indigenous to the water body, including those species which normally migrate through the area, unless the activity s primary purpose is to impound water.
- 5. Equipment. Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
- 6. Regional and case-by-case conditions. The activity must comply with any regional conditions which may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or tribe in its section 401 water quality certification.
- 7. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing the proposed activity will not adversely effect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service.)
- 8. Tribal rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
- 9. Water quality certification. In certain states, an individual Section 401 water quality certification must be obtained or waived (see 33 CFR 330.4(c)).

10. Endangered Species.

- a. No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or critical habitat might be affected or is in the vicinity of the project, and shall not begin work on the activity until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized.
- b. Authorization of an activity by a nationwide permit does not authorize the take of a threatened or endangered species as defined under the Federal Endangered Species Act. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with incidental take provisions, etc.) from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, both lethal and non-lethal takes of protected species are in violation of the Endangered Species Act. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. Fish and Wildlife Service and National Marine Fisheries Service or their world wide web pages at http://www.fws.gov/~r9endspp/endspp.html and http://kingfish.spp.mnfs.gov/tmcintyr/prot_res.html#ES and Recovery, respectively.

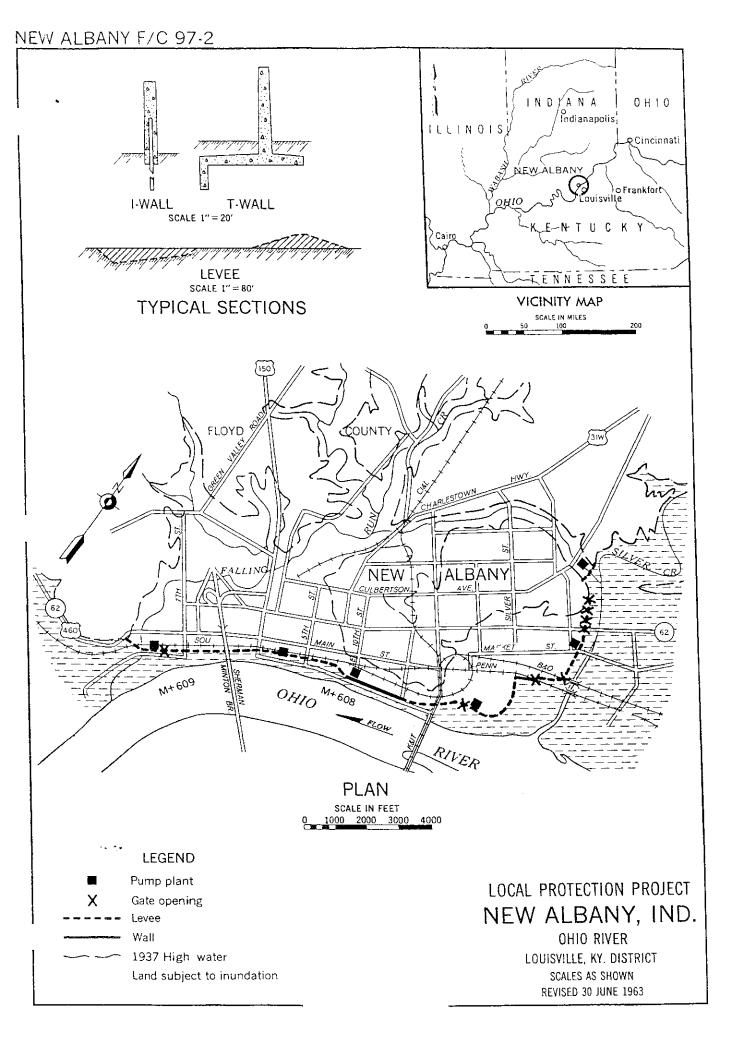
- 11. Historic properties. No activity which may affect historic properties listed, or eligible for listing, in the National Register listoric Places is authorized, until the DE has complied with the provisions of 33 CFR Part 325, Appendix C. The prospective ermittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)).
- 12. Compliance certification. Every permittee who has received a Nationwide permit verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include: a.) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; b.) A statement that any required mitigation was completed in accordance with the permit conditions; c.) The signature of the permittee certifying the completion of the work and mitigation.
- 13. Multiple use of Nationwide permits. In any case where any NWP number 12 through 40 is combined with any other NWP number 12 through 40, as part of a single and complete project, the permittee must notify the District Engineer in accordance with paragraphs a, b, and c on the Notification General Condition number 13. Any NWP number 1 through 11 may be combined with any other NWP without notification to the Corps, unless notification is otherwise required by the terms of the NWPs. As provided at 33 CFR 330.6© two or more different NWPs can be combined to authorize a single and complete project. However, the same NWP cannot be used more than once for a single and complete project.

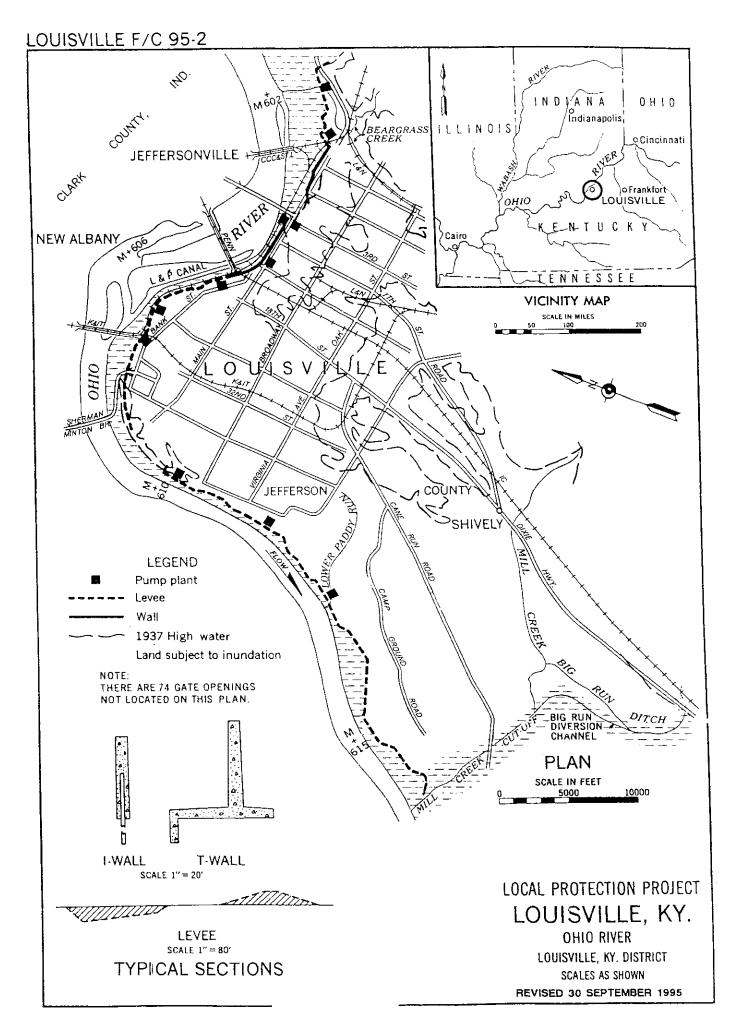
SECTION 404 ONLY CONDITIONS:

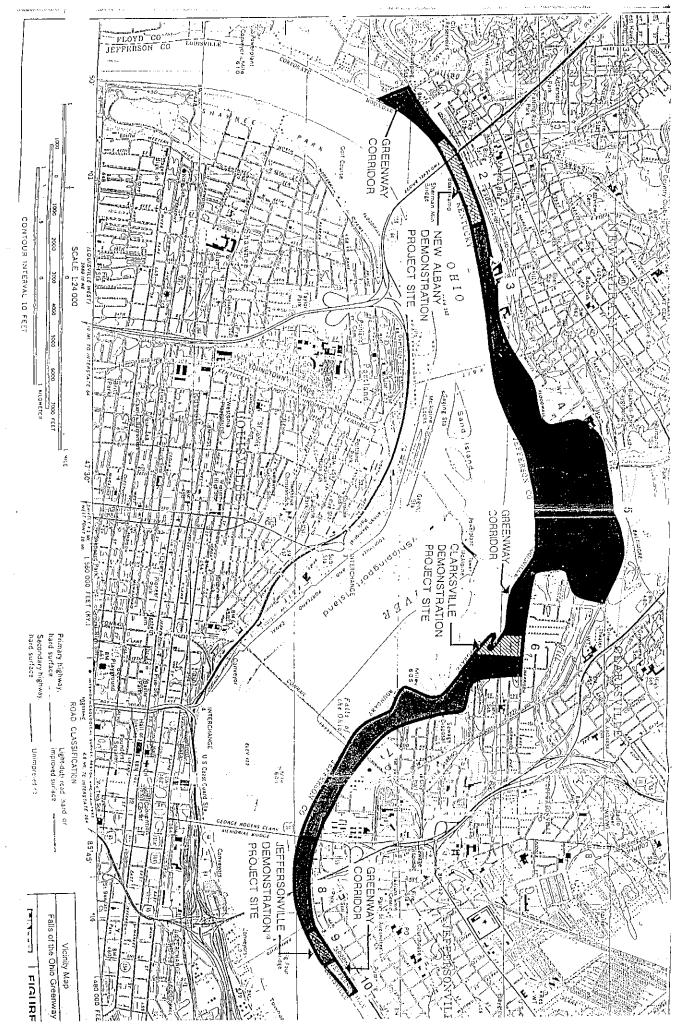
In addition to the General Conditions, the following conditions apply only to activities that involve the discharge of dredged or fill material into waters of the U.S., and must be followed in order for authorization by the NWPs to be valid:

- 1. Water supply intakes. No discharge of dredged or fill material may occur in the proximity of a public water supply ake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.
- 2. Shellfish production. No discharge of dredged or fill material may occur in areas of concentrated shellfish production, unless the discharge is directly related to a shellfish harvesting activity authorized by NWP 4.
- 3. Suitable material. No discharge of dredged or fill material may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.,) and material discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
- 4. Mitigation. Discharges of dredged or fill material into waters of the United States must be minimized or avoided to the maximum extent practicable at the project site (i.e., on-site), unless the District Engineer approves a compensation plan that the District Engineer determines is more beneficial to the environment than on-site minimization or avoidance measures.
- 5. Spawning areas. Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.
- 6. Obstruction of high flows. To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).
- 7. Adverse effects from impoundments. If the discharge creates an impoundment of water, adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.
- 8. Waterfowl breeding areas. Discharges into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.
- 9. Removal of temporary fills. Any temporary fills must be removed in their entirety and the affected areas returned to neir preexisting elevation.

JEFFERSONVILLE - CLARKSVILLE F/C 96-2 O Peoria Toledo INDIANA LEVEE 0 H10 SCALE 1" = 80" Indianapolis ILLIN_{(OIS} O Cincinnati CLARKSVILLE CA Evansville TO THE THE WAY WITH KENTUCKY T-WALL I-WALL TENNESSEE SCALE 1" = 20" TYPICAL SECTIONS VICINITY MAP SCALE IN MILES 50 200 CLARK COUNTY M+606 OHIO **PLAN** THERE ARE 21 GATE OPENING NOT LOCATED ON THIS PLAN... SCALE IN FEET 4000 2000 6000 LEGEND LOCAL PROTECTION PROJECT JEFFERSONVILLE-Pump Plant Levee CLARKSVILLE, IN. Wall OHIO RIVER 1937 High water LOUISVILLE, KY. DISTRICT SCALE AS SHOWN Land subject to inundation REVISED 30 SEPTEMBER 1995









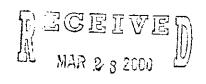
Louisville, KY 40223

States
artment of
Agriculture

Natural Resources Conservation Service

6013 Lakeside Blvd. Indianapolis, IN 46278-2933 (317) 290-3200 FAX 290-3225 March 13, 2000

Jeffrey A. Vlach Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbybille Road



RE: Louisville-Southern Indiana Ohio River Bridges Clark County, Indiana

Enclosed are the completed questionnaire and/or the 1006 Farmland Conversion Rating Form from the Natural Resources Conservation Service for the above named project(s). Please call if we can be of further assistance.

Sincerely,

JANE E. HARDESTY State Conservationist

Jane E. Houdisty

· Enclosure

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		March 7, 2000						
Name Of Project Louisville-Southern Indiana Ohio River Bridges								
Proposed Land Use Cou			ounty And State					
Highway Right-of-Way PART II (To be completed by SCS)			By SCS					
				4 14	- 6'			
r local important	t farmland?	3.27	•					
(If no, the FPPA does not apply — do not complete additional parts of this : Major Crop(s) Farmable Land in Govt. Juris			·	, , ,				
- ²⁷ · (L L					
Name Of Local		Date Land E	Date Land Evaluation Returned By SCS					
			Alternative Site Rating					
Claric	Duniy, 4	1						
		A-2	A-8	A-13	A-15			
					287.0			
		 +		<u></u>	0			
	· · · · · ·	285.0	227.0	283.0	287.0			
tion Information		}						
·		114	117	124	121			
t Farmland								
	Converted	.126	.130	,/37	.134_			
th Same Or Higher	Relative Value	173	160	160	160			
tion Criterion			, ,	()	61			
ted (Scale of U to	100 Points)	30	65	07	-			
PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b)								
1. Area in Nonurban Use					ļ			
	10				<u> </u>			
Perimeter In Nonurban Use Percent Of Site Being Farmed					ļ			
Protection Provided By State And Local Government								
5. Distance From Urban Builtup Area					<u> </u>			
6. Distance To Urban Support Services								
\verage	10							
	25				<u> </u>			
8. Creation Of Nonfarmable Farmland 9. Availability Of Farm Support Services								
10. On-Farm Investments					<u> </u>			
11. Effects Of Conversion On Farm Support Services					-			
12. Compatibility With Existing Agricultural Use				ļ	 			
TOTAL SITE ASSESSMENT POINTS								
PART VII (To be completed by Federal Agency) Relative Value Of Farmland (From Part V)								
Total Site Assessment (From Part VI above or a local site assessment)					-			
	260				<u> </u>			
				ed? No 🛘				
	<u></u>			. <u></u>				
	r local important lete additional parameters: 180 Name Of Local Clark (Clark Clark C	River Bridges Count Class In local important farmland? Idete additional parts of this formation Farmable Land in Govt. Jurisd Acres: 182, 470 Name Of Local Site Assessment Clark County, Interest of the County, Interest of the County, Interest of the County, Interest of the County of the Cou	River Bridges Federal Agency Involved U.S. DOT - FH County And State Clark County, Date Request Received In Incomplete additional parts of this form). Farmable Land In Govt. Jurisdiction Acres: 182,470 % 74 Name Of Local Site Assessment System Clark County, Indiana A-2 285.0 0 285.0 tion Information II4 It Farmland Govt. Unit To Be Converted It Same Or Higher Relative Value It on Criterion ted (Scale of 0 to 100 Points) CFR 658.5(b) Maximum Points 15 10 20 overnment 20 overnment 20 ervices 25 160 100 a local 160 100 a local 160 100 260	River Bridges Federal Agency Involved U.S. DOT - FHWA	River Bridges Federal Assency Involved U.S. DOT - FHWA County And State Clark County, Indiana Date Request Received By SCS In local important farmland? Interest additional parts of this form). Farmable Land in Govt, Jurisdiction Acres: /82,470 % 74 Name of Local Site Assessment System Clark County, Indiana A-2 A-8 A-13 285.0 227.0 283.0 0 0 0 285.0 227.0 283.0 tion Information III III 124 III 124			

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U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)			Date Of Land Evaluation Request March 7, 2000					
Name Of Project			Federal Agency Involved U.S. DOT - FHWA					
Louisville-Southern Indiana Ohio River Bridges Proposed Land Use			County And State					
Highway Right-of-Way		CI Date	ark County, Request Received	Indiana_				
PART II (To be completed by SCS)		Cate	Treduct Trecerves			·		
Does the site contain prime, unique, statewide (If no, the FPPA does not apply — da not com	or local important plete additional pa	t farmland? arts of this fo	Yes No		ed Average Farr	4		
Major Crop(s) Farmable Land In Govt, Jurisdic			iction	Amount Of Farmland As Defined in FPPA				
CORN	Acres: 182		% 74	Acres: 90, 235 %37 Date Land Evaluation Returned By SCS				
Name Of Land Evaluation System Used	Name Of Local	3 1	t System					
_ F-PPA	Clark (ounty.	Indiana					
PART III (To be completed by Federal Agency)		, ,	A-16	B-1	Site Rating A-9	T		
A. Total Acres To Be Converted Directly			265.0	196.0	166.0			
B. Total Acres To Be Converted Indirectly			0	0	0			
C. Total Acres In Site			265.0	196.0	166.0			
PART IV (To be completed by SCS) Land Evalua	ation Information					}		
A. Total Acres Prime And Unique Farmland			110	143	102			
B. Total Acres Statewide And Local Importa	nt Farmland							
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted			.122	,158	.113			
D. Percentage Of Farmland In Govt, Jurisdiction W			1 / / -	42	105			
PART V (To be completed by SCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Po			60	80	71			
ART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b)		Maximum Points						
1. Area In Nonurban Use		15						
2. Perimeter In Nonurban Use		10				<u> </u>		
3. Percent Of Site Being Farmed		20						
4. Protection Provided By State And Local (Sovernment	20						
5. Distance From Urban Builtup Area		0 _						
6. Distance To Urban Support Services	0							
7. Size Of Present Farm Unit Compared To	Average	10	1					
8. Creation Of Nonfarmable Farmland		25			<u> </u>			
9. Availability Of Farm Support Services		5		ļ				
10. On-Farm Investments		20		ļ <u>-</u>		_		
11. Effects Of Conversion On Farm Support		25		ļ				
12. Compatibility With Existing Agricultural Use		10		<u> </u>	 			
TOTAL SITE ASSESSMENT POINTS		160						
PART VII (To be completed by Federal Agency)								
Relative Value Of Farmland (From Part V)		100						
Total Site Assessment (From Part VI above or a local site assessment)		160						
TOTAL POINTS (Total of above 2 lines)		260			ite Assessment U	learl ²		
Site Selected:	Date Of Selection				s D	No 🗆		
Paragraphic Calculus								

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

		nate (Date Of Land Evaluation Request					
PART I (To be completed by Federal Agency)			March 3, 2000					
Name Of Project Louisville-Southern Indiana Ohio River Bridges			Federal Agency Involved U.S. DOT - FHWA					
Proposed Land Use			y And State fferson Cou	inty, Kent	ucky			
Highway Right-of-Way			Request Received	By SCS				
PART II (To be completed by SCS)			N	Acres Irriga	ted Average Fa	rm Size		
Does the site contain prime, unique, statewide of	r local important	farmland?	Yes No	~ I				
(If no, the FPPA does not apply — do not complete additional parts of this form Major Complet Farmable Land In Govt. Jurisdict			7	Amount Of	82 av	cres fined in FPPA		
Major Crop(s)	•			Acres: 112,852 %-47				
corn, soybeans	Acres: 133,6		% 55.7	Date Land	Date Land Evaluation Returned By SCS			
Name Of Land Evaluation System Used	i ·	Name Of Local Site Assessment System			1			
NRCS-Jefferson County	NONE	<u> </u>			7-2000 E Site Rating	~		
PART III (To be completed by Federal Agency)			A-2	A-8	A-13	A-15		
A. Total Acres To Be Converted Directly			141.0	80.0	77.0	79.0		
B. Total Acres To Be Converted Indirectly			0	0	0	79.0		
C. Total Acres In Site		<u> </u>	141.0	80.0	77.0	/9.0		
PART IV (To be completed by SCS) Land Evalua	tion Information		1					
The state of the s			32.0	11.0	12.0	4.0		
A. Total Acres Prime And Unique Farmand B. Total Acres Statewide And Local Important	of Farmland		7.0	5.0	0	0		
	Govt Unit To Be	Converted	0.001	0.001	0.001	0.001		
C. Percentage Of Farmland in County Or Loca D. Percentage Of Farmland in Govt. Jurisdiction Wi	th Same Or Higher I	Relative Value	23.9	62.3	23.9	50.4		
PART V (To be completed by SCS) Land Evalua	tion Criterion		ŀ					
Relative Value Of, Farmland To Be Conve	rted (Scale of 0 to	100 Points)	91.2	72.7	87.2	78.2		
PART VI (To be completed by Federal Agency)		Maximum	ļ		ļ			
Site Assessment Criteria (These criteria are explained in	7 CFR 658.5(b)	Points	t	<u> </u>				
		15						
Area In Nonurban Use Perimeter In Nonurban Use		10						
		20						
Percent Of Site Being Farmed Protection Provided By State And Local Government		20						
5. Distance From Urban Builtup Area		0						
6. Distance To Urban Support Services		0						
7. Size Of Present Farm Unit Compared To Average		10	<u> </u>	<u> </u>				
8. Creation Of Nonfarmable Farmland		25		<u> </u>		•		
9. Availability Of Farm Support Services		5						
10. On-Farm Investments		20		<u> </u>				
11. Effects Of Conversion On Farm Support	Services	25_						
11. Effects Of Conversion On Parti Support Services 12. Compatibility With Existing Ayricultural Use		10						
		160						
PART VII (To be completed by Federal Agency)		 						
Relative Value Of Farmland (From Part V)		100						
Total Site Assessment (From Part VI above or	a local	160						
site assessment)		260						
TOTAL POINTS (Total of above 2 lines)		1 200			Site Assessment	Used? No 🗆		
Site Selected:	Site Selected: Date Of Selection				/es []	NO LJ		
Reason For Selection:	•							

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)			Date Of Land Evaluation Request March 3, 2000						
Name Of Project Louisville-Southern Indiana Ohio River Bridges			Federal Agency Involved U.S. DOT - FHWA						
Proposed Land Use			County And State						
Highway Right-of-Way			Jefferson County, Kentucky						
PART II (To be completed by SCS)		Ua	(a Mednest Mere				·		
Does the site contain prime, unique, statewide or local important farmland?			•	No	Acres Irrigate	d Average Far	m Size		
(If no, the FPPA does not apply - do not complete additional parts of this fo			form). 😡		0	82 ac			
Major Crop(s)	Farmable Land In Govt, Jurisdic			ntion % 55.7		Amount Of Farmland As Defined in FPPA			
corn, soybeans	133,07				Acres: 112,852 %. 47				
Name Of Land Evaluation System Used	Name Of Local Sit	nent System	System		Date Land Evaluation Returned By SCS				
NRCS-Jefferson County	NONE	NONE -			3-17-2000 Alternative Site Rating				
PART III (To be completed by Federal Agency)			A-1	A-16 B-1 A-9					
A. Total Acres To Be Converted Directly			157	2.0	24.0	78.0			
B. Total Acres To Be Converted Indirectly			0		0	0			
C. Total Acres In Site			· 157	.0	24.0	78.0			
PART IV (To be completed by SCS) Land Evaluat	tion Information		1				1		
A. Total Acres Prime And Unique Farmland			0		0	11.0			
B. Total Acres Statewide And Local Importan	t Farmland		0		0	5.0			
C. Percentage Of Farmland In County Or Local		Converte			0	0.001			
D. Percentage Of Farmland In Govt, Jurisdiction Wil					NA	62.3			
PART V (To be completed by SCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)			s) NA		NA	72.7			
ART VI (To be completed by Federal Agency)		Maximu							
Site Assessment Criteria (These criteria are explained in 7	CFR 658.5(b)	Points							
1. Area In Nonurban Use		1,5							
2. Perimeter In Nonurban Use		10							
3. Percent Of Site Being Farmed		20							
4. Protection Provided By State And Local G	overnment	20							
5. Distance From Urban Builtup Area		0							
6. Distance To Urban Support Services		0				ļ			
7. Size Of Present Farm Unit Compared To A	verage	10							
8. Creation Of Nonfarmable Farmland		25				<u> </u>			
9. Availability Of Farm Support Services		5							
10. On-Farm Investments		20 25				 			
11. Effects Of Conversion On Farm Support Services						 			
12. Compatibility With Existing Apricultural Use		10			 	 			
TOTAL SITE ASSESSMENT POINTS		160							
PART VII (To be completed by Federal Agency)									
Relative Value Of Farmland (From Part V)		100				<u> </u>			
Total Site Assessment (From Part VI above or a local site assessment)		160							
TOTAL POINTS (Total of above 2 lines)		260			W A !! O		1 lend?		
Site Selected:	Date Of Selection			Was A Local Site Assessment Used? Yes No No					

ason For Selection:



Environmental Impact Statement/Preliminary Design

Haworth, Meyer & Boleyin

March 3, 2000

Mr. Chris Tippe, Acting District Conservationist Natural Resources and Conservation Service U.S. Department of Agriculture 6013 Lakeside Boulevard Indianapolis, Indiana 46278

ATTN: Mr. John Reynolds

Re:

Louisville-Southern Indiana

Ohio River Bridges

Dear Sir:

Coordination with your agency was initiated for the referenced project on January 11, 2000. This coordination was undertaken for compliance with the Farmland Protection Policy Act of 1981 (FPPA). Your response was dated January 20, 2000.

Since the initiation of coordination with your agency, an additional alternative has been developed, and the right-of-way for Alternatives A-2, A-8, A-13, A-15, A-16 and B-1 has been refined. This new alternative, A-9, is shown on the attached aerial photograph for the Far East project area. The anticipated right-of-way for A-9 and the previously identified alternatives has also been quantified on the attached Farmland Conversion Impact Rating (Form AD 1006).

Please review this information and complete/revise the Form AD 1006 for all of these preliminary alignments. Upon receipt, this revised Form AD 1006 will supplement your previous response of January 20, 2000. Please return your response to my attention at the above address. We apologize for any inconveniences caused by this correspondence. Thank you for your cooperation in matters of mutual concern.

Very truly yours,

COMMUNITY TRANSPORTATION SOLUTIONS

rey Allack

Veffrey A Vlach

JAV/sh

XC:

Mrs. Charlene Wylie, CTS

File #3403.010







Environmental Impact Statement/Preliminary Design

RECEIVED THE

Haworth, Meyer & Boleyn

March 3, 2000

Mr. Kurt Mason
District Conservationist of Jefferson County
Natural Resources and Conservation Service
U.S. Department of Agriculture
Chrysler Building, Suite 202
4229 Bardstown Road
Louisville, Kentucky 40218-3241

Re:

Louisville-Southern Indiana

Ohio River Bridges

Dear Sir:

Coordination with your agency was initiated for the referenced project on January 13, 2000. This coordination was undertaken for compliance with the Farmland Protection Policy Act of 1981 (FPPA). Your response was dated February 10, 2000. In that response, you indicated that Alternatives A-2, A-8, A-13 and A-15 would impact agricultural acreages.

Since the initiation of coordination with your agency, an additional alternative has been developed, and the right-of-way for Alternatives A-2, A-8, A-13, A-15, A-16 and B-1 has been refined. The new alternative, A-9, is shown on the U.S.G.S. quadrangle map for the Far East project area. The anticipated right-of-way for A-9 and the previously identified alternatives have also been quantified on the attached Farmland Conversion Impact Rating (Form AD 1006).

Please review this information and complete/revise the Form AD 1006 for all of these the preliminary alignments. Upon receipt, this revised Form AD 1006 will supplement your previous response of February 10, 2000. Please return your response to my attention at the above address. We apologize for any inconveniences caused by this correspondence. Thank you for your cooperation in matters of mutual concern.

Very truly yours,

COMMUNITY TRANSPORTATION SOCUTIONS

effrey A. Vlach

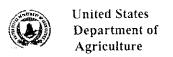
JAV/sh

xc: Mrs. Charlene Wylie, CTS

File #3403.010







Forest Service Hoosier National Forest

811 Constitution Av¢. Bedford, IN 47421 Ph. 812-275-5987 FAX: 812-279-3423 TDD: 812-275-7817

File Code: 1950

Date: January 5, 1999

Indiana Department of Transportation Attn: Steve Cecil, Chief 100 North Senate Avenue, Room N755 Indianapolis, IN 46204-2249

Re: Louisville-Southern Indiana Ohio River Bridges

[EIS and Preliminary Design]

Dear Mr. Cecil:

I have reviewed the above referenced proposal. Since your site is outside the Hoosier National Forest boundary, I cannot provide you with meaningful information to assist you with your project.

Thank you for making me aware of your proposal.

Sincerely,

Jamela S. Kruse JKENNETH G. DAY Forest Supervisor





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

B-19J

FEB 221999

Arthur A. Fendrick, Division Administrator Federal Highway Administration 575 North Pennsylvania Street Room 254 Indianapolis, Indiana 46204

Jesse A. Story, Administrator Kentucky Division Office Federal Highway Administration 330 West Broadway Frankfort, Kentucky 40601

Dear Mr. Fendrick and Mr. Story:

On December 22, 1998 the United States Environmental Protection Agency, Region 5 (USEPA, Region 5) received a letter (with enclosures) from Mr. Steve Cecil, Indiana Department of Transportation (INDOT) requesting early coordination and input on a proposed project by INDOT and the Kentucky Transportation Cabinet (KTC).

The project under consideration would place between one and two new bridge crossings of the Ohio River at various locations between Clark County, Indiana and Jefferson County, Kentucky. In addition, the project could include the development of new interstate highway corridors. INDOT and KTC plan to prepare an Environmental Impact Statement (EIS). We understand that this project will follow the NEPA/404 process with concurrence points on key issues (e.g., purpose and need, alternatives).

In order to more efficiently expedite the early coordination effort for this project, USEPA Region 5 forwarded INDOT's letter (with enclosures) to USEPA, Region 4 for their review and comments. USEPA, Region 5 and USEPA, Region 4 (USEPA) have reviewed the "Project Overview" and list of "Potential Issues" that accompanied INDOT's letter. We offer the following joint comments and issues to be included in the Draft Environmental Impact Statement (DEIS).

Purpose and Need

An adequate and clear Purpose and Need statement will need to be developed from which the Alternatives Analysis will be based and all Feasible Alternatives identified. From the information provided for our review, it appears that INDOT and KTC have more than one project

purpose and need in mind: (1) relieve traffic congestion and accidents at the Kennedy Interchange, (2) meet future anticipated transportation needs in the bi-county area, and (3) remove transportation barriers to planned and anticipated economic development. If the Purpose and Need statement is, unclear, too broad, and/or too far ranging, then it may be extremely difficult and/or costly for INDOT and KTC to substantiate purpose and need with the appropriate documentation and studies that would be necessary in order to comply with NEPA and the Section 404(b)(1) guidelines. We look forward to providing more input on purpose and need during the NEPA/404 process.

Alternatives Analysis

All feasible alternatives that would satisfy the purpose and need for the project should be given equal weight and consideration in the DEIS. Any alternatives which were evaluated and subsequently discarded in the Major Investment Study (MIS) phase of the project should be identified in the DEIS, along with the reason(s) for their non-selection. Overall, we believe that all feasible alternatives that would satisfy the project's purpose and need should be fairly and fully evaluated in the DEIS. In this regard, the DEIS should include, but not be limited to, a "No-Build" Alternative, a full range of mass transit alternatives, transportation system management (TSM) options, and "Build" options. Alternatives should also be evaluated in concert with each other. For example, a combination of mass transit, TSM, and "Build" options may ultimately make up the recommended option.

Potential Issues

At this time, USEPA agrees with the fifteen (15) categories of "potential issues" that will be examined in the DEIS. As the NEPA/404 process evolves and more information comes to light, new issues may need to be addressed or analyzed. USEPA, Region 5 and USEPA, Region 4 requests copies of all environmental documentation developed under this NEPA/404 process. In addition we have the following comments and concerns.

Air Quality - The proposed project is in a Nonattainment area for compliance with the 1-hour ozone standard. Alternatives must demonstrate that they would not constitute a new violation of air quality standards or cause delay of requirements under the States' Implementation Plans (SIPs).

Noise - Construction and/or operational activities may cause an increase in local noise and pollutants. Mitigative measures to be used should be identified in the DEIS.

Wetlands/Streams/Ohio River - Analysis of impacts to waters of the U.S., including wetlands, and water quality should include the direct, indirect and cumulative impacts from the various alternatives identified in the DEIS. A comparison of the impacts between the alternatives should also be included. To aid reviewers, a table should be developed that compares the impacts between alternatives and included in the DEIS.

Impacts of the various alternatives on water quality should address, but not be limited to, their designated use and compliance with the State's Water Quality Standards and 401 Water Quality Certification. Any storm water detention basins deemed necessary, due to project implementation activities, should neither be located in wetlands nor discharge directly into wetlands or waters of the U.S. without appropriate pretreatment.

Wetland Mitigation - Mitigation requirements under 40 CFR Section 230 address the replacement of the wetland functions and values that are unavoidably lost. The DEIS should identify the types, and the functions and values of the wetlands in the study area. USEPA suggests a detailed mitigation plan be developed and incorporated into the DEIS. If certain mitigation details can not be provided at the time the DEIS is written, then the DEIS should contain statements of commitment to develop and do those portions of the mitigation work/plan that are not included. A detailed mitigation plan must be presented in the Final Environmental Impact Statement (FEIS). Any final mitigation plan should include, but not be limited to:

- a commitment to acquire and start work at the mitigation site/s prior to project construction;
- contain a detailed schedule of events in relation to bridge/roadway work and wetland creation/restoration work;
- detailed construction plans;
- a detailed mitigation monitoring plan, including a time table;
- detailed performance criteria to measure success;
- detailed specifications and commitments for corrective measures to be taken if performance criteria are not met; and,
- a commitment to the establishment of a protection and management plan in perpetuity (i.e., legal surveys of the specific boundaries with buffers and conservation easements that are given to a land conservancy organization) for all mitigation areas.

USEPA recommends a 100-foot vegetated buffer be provided around each wetland mitigation site. The buffer will enhance wildlife habitat and protect the site from sediment buildup that could result from land use practices immediately outside the buffer area. Wetland restoration is preferred to wetland creation or enhancement because it has a higher rate of success. Enhancement is generally not considered as an acceptable form of wetland mitigation.

Natural Environmental Conditions - We are also concerned about the loss of upland resources associated with bridge and road construction, especially in the less developed areas of the proposed project. At the least, the DEIS should contain an inventory of any high quality or locally and regionally rare habitats or plant communities. A description and the areal extent of each site should be presented in the inventory. The sites also should be marked on aerial photos. These resources should be avoided and/or mitigated to the extent possible.

An attempt should be made to project and evaluate secondary impacts to natural resources that are likely to be engendered by the new roadways. This analysis should include losses of both

upland and aquatic/wetland resources.

Pollution Prevention

The DEIS should address the fate of the existing bridge/s and explore ways to reuse and/or recycle the bridge materials. Any other construction debris should be reused to the maximum extent deemed feasible. The project should also include energy efficient lighting to the maximum feasible extent.

USEPA appreciates this early opportunity to provide comments and identify issues that need to be addressed in the DEIS. We look forward to reviewing future environmental documentation for the proposed project. If you have any questions, please contact Virginia Laszewski (Region 5) at (312) 886-7501, and/or Allen Lucas (Region 4) at (404) 562-9624.

Sincerely,

Sherry Kamke, Acting Manager

Environmental Review Group

Office of Strategic Environmental Analysis

(USEPA, Region 5)

Heinz Mueller, Chief

Office of Environmental Assessment

(USEPA, Region 4)

- cc: INDOT, Division of Preliminary Engineering and Environment, 100 North Senate Avenue, Room N755, Indianapolis, Indiana 46204-2249 (Attention: Steve D. Cecil)
 - KTC, P.O. Box 37090, Louisville, KY 40233 (Attention: Sherill Smith, Bridge Coordinator)
 - USEPA Region 5, Wetlands Regulatory Staff, WW-16J, David Schulenberg
 - USEPA Region 5, Air Quality, AR-18J, Ryan Bahr
 - USACOE, Regulatory Functions Branch, P.O. Box 59, Louisville, KY 40201-0059 (Attention: Jim Townsend)
 - USFWS, Bloomington Field Office, 620 S. Walker St., Bloomington, IN 47403 (Attention: Mike Litwin)
 - FHWA, 575 North Pennsylvania Street, Room 254, Indianapolis, Indiana 46204 (Attention: Douglas Head)



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Indiana State Office

Field Policy and Management

151 North Delaware Street, Suite 1200 Indianapolis, IN 46204-2526 (317) 226-7606 (317) 226-6317 (FAX) www.hud.gov

Office of the Community Builders

December 28, 1998

Mr. Steve D. Cecil, Chief Division of Preliminary Engineering & Environment 100 N. Senate Avenue, Room 848 Indianapolis, IN 46204

Dear Mr. Cecil:

This is in response to your letter dated December 22, 1998, regarding early coordination on Louisville-Southern Indiana Ohio River Bridges [EIS and Preliminary Design].

Due to agency reorganization, our Chicago Office is handling all environmental issues on our behalf. Hence, this package is being forwarded to the following individual/address for review:

Mr. Eugene Goldfarb
Environmental Officer
Community Planning & Development, 5ADE
U.S. Department of Housing
& Urban Development
77 West Jackson Boulevard
Chicago, IL 60604
(312) 353-1696

Should you or your staff require additional information or assistance in this matter, please contact Mr. Goldfarb or myself at (317) 226-7606.

Sincerely

William K. Fattic Senior Coordinator

cc: Mr. Goldfarb



U.S. Department of Housing and Urban Development Environmental Staff

Midwest Office 77 W. Jackson Blvd. Chicago, Illinois 60604-3507 http://www.hud.gov/local/chi/chienv1.html

January 12, 1999

Steve D. Cecil, Chief
Division of Preliminary Engineering and Environment
Indiana Department of Transportation
100 N. Senate Avenue
Room N755
Indianapolis. IN 46204-2249

Dear Mr. Cecil:

SUBJECT: Louisville-Southern Indiana Ohio River Bridges

EIS and Preliminary Design

Thank you for the opportunity to participate in the planning process for this major public works project. The decisions made relative to this project will have major impacts on the settlement patterns of the Louisville metropolitan area for years to come and it is therefore important that the planning identify these impacts and examine relevant alternatives.

This is the question the EIS should be asking - the big macro picture, in addition to the micro impacts in the vicinity of each alignment. What are the settlement patterns in the metropolitan area? Will the new crossings open up (and convert) agricultural areas? Will the new patterns constitute sprawl and promote less efficient use of energy? Will other new infrastructure (water lines, sewers, treatment plants, additional roads) have to be built to support this growth? How will this growth affect the existing urban core of Louisville?

How could we explore these issues? We could attempt to measure changes in socioeconomic benefits such as jobs, property values, and population that will result from each of the alternatives. We should measure total values as well as per cent change. We could also measure projected energy use and needed public expenditures for additional infrastructure. Another useful step would be to coordinate this effort with USEPA. I understand that they have a Regional Sprawl Committee that studies these types of issues.

Thank you' for the opportunity to comment at the scoping stage. Although HUD looks forward to continued participation in this effort, our ability to fully participate may be hampered by resource shortages.

Sincerely.

Midwest Environmental Officer



Indiana Department of Natural Resources

Executive Office 402 W. Washington Street, Rm. W-256 Indianapolis, IN 46204-2748

November 25, 1998

Mr. Jeffrey A. Vlach Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

Re: DNR #7218 - Proposed new crossings; Louisville-Southern Indiana Ohio River Bridges, Clark County, Indiana and Jefferson County, Kentucky

Dear Mr. Vlach:

- 11 NOJEMBER Per your request dated 1998, the Indiana Department of Natural Resources has reviewed the above referenced proposal. Our agency offers the following comments for your information

The Natural Heritage Program's data indicates that the state-threatened Allegheny stonecrop (Sedum telephioides) has been recorded in the project vicinity. This species occurs on steep rocky bluffs approximately 1 1/4 miles north of Utica. Falls of the Ohio State Park occurs downstream of the focus area. Sixmile Island, a Kentucky State Nature Preserve, occurs near the Clark Maritime Center Riverport. The enclosed map has been annotated to indicate these areas of concern. Our agency recommends a project design which avoids the areas.

We appreciate the opportunity to be of service in this matter. Please do not hesitate to contact Steve Jose at (317) 232-4080 if we can be of further assistance.

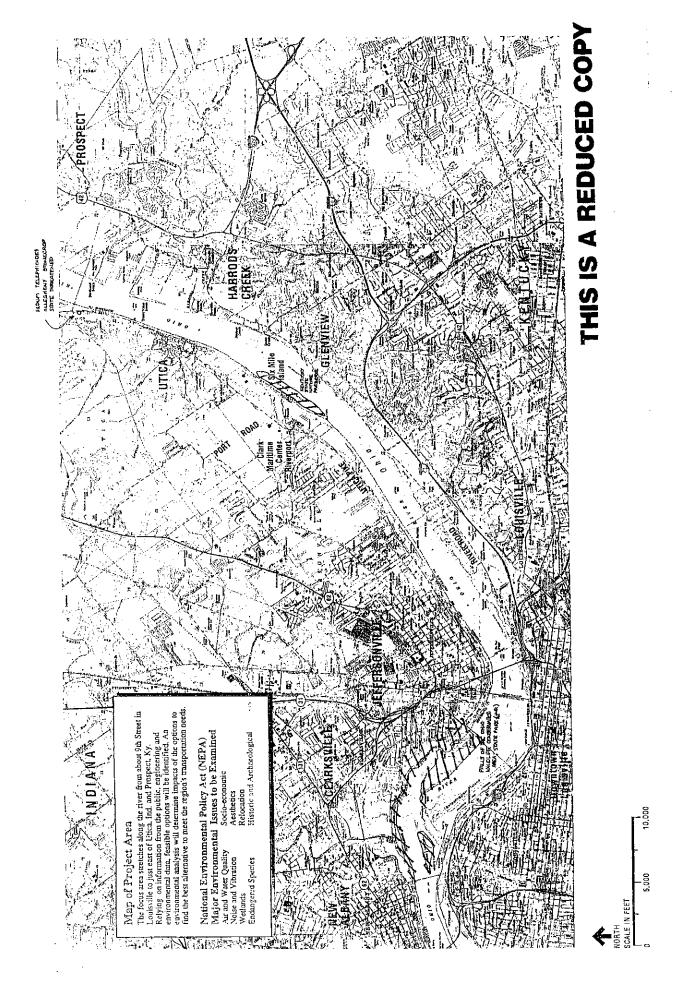
Respectfully,

Larry D. Macklin, Director

Department of Natural Resources

LDM:SHJ

Enclosure





Indiana Department of Natural Resources

Executive Office 402 W. Washington Street, Rm. W-256 Indianapolis, IN 46204-2748

January 29, 1999

Mr. Stephen D. Cecil, Chief Division of Preliminary Engineering and Environment Indiana Department of Transportation 100 N. Senate Avenue, Rm. N848 Indianapolis, IN 46204-2249

Re: DNR #7276 - Proposed Louisville-Southern Indiana Ohio River bridges

Dear Mr. Cecil:

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

This proposal will require the formal approval of our agency for construction in a floodway pursuant to the Flood Control Act (IC 14-28-1). A copy of this letter should be included with any permit application.

Community Transportation Solutions Inc. previously requested information concerning statelisted threatened and endangered species (flora/fauna) habitat within the project area. A copy of our response letter is included.

The "Potential Issues" document alludes to potential impacts on wetlands, riparian areas, and aquatic and terrestrial habitats. Given that the project is in the very early planning phase, the Division of Fish and Wildlife recommends that the project avoid these areas to the fullest extent possible. Per our agency's wetlands and habitat mitigation guidelines, impact mitigation is only acceptable after avoidance measures have been fully analyzed.

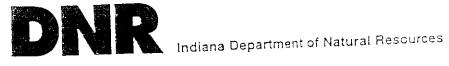
We appreciate this opportunity to be of service. If we can be of further assistance, please do not hesitate to contact Steve Jose at (317) 232-4080.

Respectfully,

Larry D. Macklin, Director
Department of Natural Resources

LDM:SHJ

Enclosure



Division of Nature Preserves 402 W. Weshington St W257 Indianapolis, IN 46204-2748 PH: 317/232-4052 FAX: 317/233-0133

February 4, 1999

Mr. Price Sewell Haworth, Meyer & Boleyn, Inc. 3 HMB Circle U.S. 460 Frankfort, KY 40601

Dear Mr. Sewell:

I am responding to your request for information on the endangered, threatened, or rare (ETR) species, high quality natural communities, and natural areas documented from the Ohio River Bridges Transportation project area, Jeffersonville and New Albany, Clark County, Indiana. The Indiana Natural Heritage Data Center has been checked and enclosed you will find information on the ETR species and significant areas documented from this area.

For more information on federally funded Land and Water Conservation Fund Sites and the state funded Indiana Waters Fund site, contact the Division of Outdoor Recreation, 402 W. Washington St, Room W271, Indianapolis, IN 46204, 317-232-4070.

For more information on the animal species mentioned, please contact Katie Smith, Nongame Supervisor, Division of Fish and Wildlife, 402 W. Washington Room W273, Indianapolis, Indiana 46204, (317)232-4080.

The information I am providing does not preclude the requirement for further consultation with the U.S. Fish and Wildlife Service as required under Section 7 of the Endangered Species Act of 1973. You should contact the Service at their Bloomington, Indiana office.

U.S. Fish and Wildlife Service 620 South Walker St. Bloomington, Indiana 47403-2121 (812)334-4261

At some point, you may need to contact the Department of Natural Resources' Environmental Review Coordinator so that other divisions within the department have the opportunity to review your proposal. For more information, please contact:

> Larry Macklin, Director Department of Natural Resources attn: Stephen H. Jose Environmental Coordinator Division of Fish and Wildlife 402 W. Washington Street, Room W273 Indianapolis, IN 46204 (317)232-4080

Please note that the Indiana Natural Heritage Data Center relies on the observations of many individuals for our data. In most cases, the information is not the result of comprehensive field surveys conducted at particular sites. Therefore, our statement that there are no documented significant natural features at a site should not be interpreted to mean that the site does not support special plants or animals

Due to the dynamic nature and sensitivity of the data, this information should not be used for any project other than that for which it was originally intended. It may be necessary for you to request updated material from us in order to base your planning decisions on the most current information.

Thank you for contacting the Indiana Natural Heritage Data Center. You may reach me at (317)232-4052 if you have any questions or need additional information.

Sincerely,

Ponald P. Hellmich
Ronald P. Hellmich

Indiana Natural Heritage Data Center

enclosure:data sheet

ENDANGERED. THREATENED. AND RARE SPECIES

AND HIGH QUALITY NATURAL COMMUNITIES AND NATURAL AREAS DOCUMENTED FROM
THE OHIO RIVER BRIDGES TRANSPORTATION PROJECT AREA. NEW ALBANY AND JEFFERSONVILLE.

CLARK COUNTY. INDIANA

		CLARK COUNTY, I				
y pe	Element Name	Common Name	State	Fed	Townrang Sec	Date Comments
EFFERSONVILLE eptile	E QUADRANGLE CLONOPHIS KIRTLANDII	KIRTLAND'S SNAKE	SE	**		N SIDE OF 1986 JEFFERSONVILL
ollusk	POTAMILUS CAPAX	FAT POCKETBOOK	SE	LE		OHIO RIVER. 0000 HISTORICAL JEFFERSONVILL
'lant	RUBUS CENTRALIS	ILLINOIS BLACKBERRY	SE	**	002S008E	CA 2 MI N OF 1919 JEFFERSONVILL
lant	THALICTRUM PUBESCENS	TALL MEADOWRUE	ST	**	002S008E	3 MI N OF 1935 JEFFERSONVILL E
ITICA SITE -	HICKORY POINT SEDUM TELEPHIOIDES	ALLEGHENY STONECROP	ST	**		LAND GRANT 17 1979
HARLESTOWN A	MMUNITION PLANT (DEPT. OF SEDUM TELEPHICIDES	<u>DEFENSE)</u> ALLEGHENY STONECROP	ST	**		SEQ LAND 1994 GRANT #27
	TO CONSTRUCTION SIND SITE #10	00014 18-00075 18-00248				CLARK LAND GRANT #8
	R CONSERVATION FUND SITE #18					CLARK LAND GRANT #4
	R CONSERVATION FUND SITE #18					CLARK LAND GRANT #13, 22
	R CONSERVATION FUND SITE #18 RS FUND #F-15-D-22	-40055, 10-00215				CLARK LAND GRANT #4
.۱۷ Qt ucean	JADRANGLE GAMMARUS BOUSFIELDI	SPRING AMPHIPOD	SE	**		FALLS OF THE 1995 OHIO
Other type	SPHALLOPLANA WEINGARTNERI	WEINGARTNER'S CAVE	ST	**		FALLS OF THE 1995 OHIO
Bird Fish	NYCTICORAX NYCTICORAX ACIPENSER FULVESCENS	FLATWORM BLACK-CROWNED NIGHT-HERON LAKE STURGEON	I SE SE	**	003S006E 02	1985 OHIO RIVER NEAR 604 MI MKR. NEW
Fish	CYCLEPTUS ELONGATUS	BLUE SUCKER	SSC	**		ALBANY OHIO RIVER 1983 NEAR 606 MI MKR, NEW ALBANY.
LAND AND WAT	ER CONSERVATION FUND SITE #1	8-00041				CLARK LAND GRANT #18

^{. .}TE: FEDERAL:

SX=extirpated, SE=endangered, ST=threatened, SR=rare, SSC=special concern, WL=watch list, SG=significant, SRE=state reintroduced
LE=endangered, LT=threatened, LELT=different listings for specific ranges of species, PE=proposed endangered, LE=endangered, LT=threatened, E/SA=appearance similar to LE species, **=not listed
PT=proposed threatened, E/SA=appearance similar to LE species, **=not listed

DNR

Division of Nature Preserves 402 W. Washington St Rm W267 Indianapolis, IN 46204-2748 PH: 317/232-4052 FAX: 317/233-0133

Frank O'Bannon, Governor Larry D. Macklin, Director

January 25, 2000

Mr. Price Sewell Haworth, Meyer & Boleyn, Inc. 3 HMB Circle US 460 Georgetown Road Frankfort, KY 40601

Dear Mr. Sewell:

I am responding to your request for the locations of the endangered, threatened, or rare (ETR) species, high quality natural communities, and natural areas documented from the Ohio River Bridges Project area, New Albany, Clark County, Indiana. The Indiana Natural Heritage Data Center has been checked and enclosed you will find information and map on the ETR species and significant areas documented from this area.

For more information on federally funded Land and Water Conservation Fund Sites, or the state funded Indiana Waters Fund site, contact the, Division of Outdoor Recreation, 402 W. Washington St, Room W271, Indianapolis, IN 46204, 317-232-4070.

For more information on the animal species mentioned, please contact Katie Smith, Nongame Supervisor, Division of Fish and Wildlife, 402 W. Washington Room W273, Indianapolis, Indiana 46204, (317)232-4080.

The symbols the Indiana Natural Heritage Data Center uses for mapping ETR species is as follows: General=occurrence can only be mapped to a area, generally within 5 miles of mapped location; One mile=occurrence within one mile radius of mapped location; Precise=occurrence at mapped location.

The information I am providing does not preclude the requirement for further consultation with the U.S. Fish and Wildlife Service as required under Section 7 of the Endangered Species Act of 1973. You should contact the Service at their Bloomington, Indiana office.

U.S. Fish and Wildlife Service 620 South Walker St. Bloomington, Indiana 47403-2121 (812)334-4261 At some point, you may need to contact the Department of Natural Resources' Environmental Review Coordinator so that other divisions within the department have the opportunity to review your proposal. For more information, please contact:

Larry Macklin, Director
Department of Natural Resources
attn: Stephen H. Jose
Environmental Coordinator
Division of Fish and Wildlife
402 W. Washington Street, Room W273
Indianapolis, IN 46204
(317)232-4080

Please note that the Indiana Natural Heritage Data Center relies on the observations of many individuals for our data. In most cases, the information is not the result of comprehensive field surveys conducted at particular sites. Therefore, our statement that there are no documented significant natural features at a site should not be interpreted to mean that the site does not support special plants or animals.

Due to the dynamic nature and sensitivity of the data, this information should not be used for any project other than that for which it was originally intended. It may be necessary for you to request updated material from us in order to base your planning decisions on the most current information.

Thank you for contacting the Indiana Natural Heritage Data Center. You may reach me at (317)232-4052 if you have any questions or need additional information.

Sincerely,

Ronald P. Hellmich

Rinald P. Hellmil

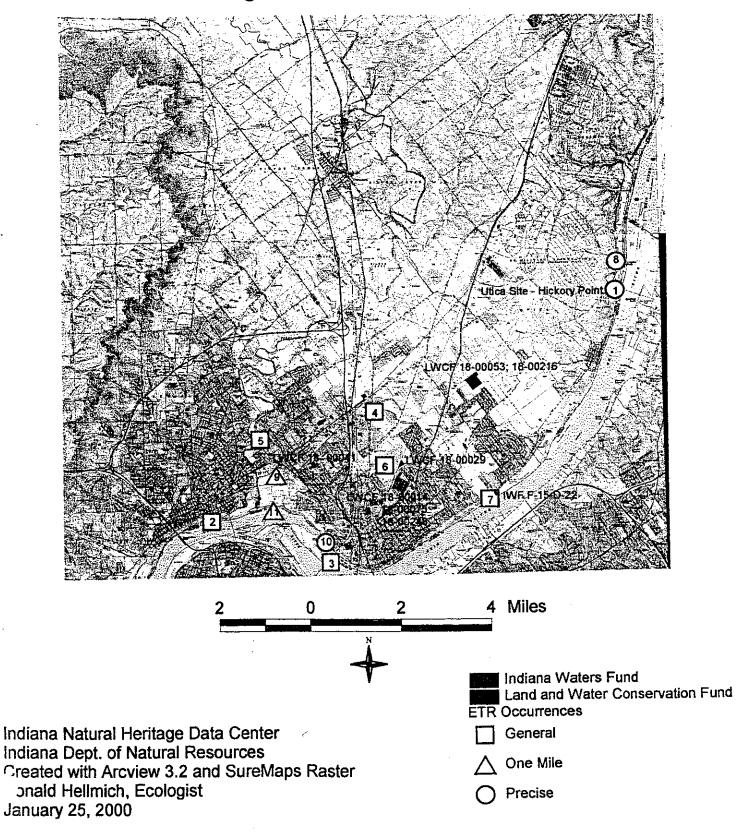
Indiana Natural Heritage Data Center

enclosure:

data sheet

map

Ohio River Bridges Transportation Project Area Endangered, Threatened, and Rare Species and Significant Natural Areas Locations



ENDANGERED, THREATENED, AND RARE SPECIES AND HIGH QUALITY NATURAL COMMUNITIES AND NATURAL AREAS DOCUMENTED FROM THE OHIO RIVER BRIDGES TRANSPORTATION PROJECT AREA. NEW ALBANY AND JEFFERSONVILLE. CLARK COUNTY, INDIANA

	. SPECIES NAME	COMMON NAME	STATE	FED	TOWNRANGE SEC	······································	DATE
MAP # 1 Plant	SEDUM TELEPHIOIDES	ALLEGHENY STONECROP	ST	**		LAND GRANT 17	197 9
MAP # 2 Fish	ESOX MASQUINONGY	OHIO RIVER MUSKELLUNGE	**	**		OHIO RIVER NEAR 607 MI MKR, NEW ALBANY.	1886
MAP # 3 Fish	ACIPENSER FULVESCENS	LAKE STURGEON	SE	**		OHIO RIVER NEAR 604 MI MKR, NEW ALBANY.	
MAP # 4 Plant	RUBUS CENTRALIS	ILLINOIS BLACKBERRY	SE	**	002S008E	CA 2 MI N OF JEFFERSONVILL	
Plant	THALICTRUM PUBESCENS	TALL MEADOWRUE	ST	**	002S008E	E. 3 MI N OF JEFFERSONVILL E	1935
MAP # 5 Amphibian	CRYPTOBRANCHUS ALLEGANIENSIS ALLEGANIENSIS	HELLBENDER	SE	**		SILVER CREEK	1930
MAP # 6 Reptile	CLONOPHIS KIRTLANDII	KIRTLAND'S SNAKE	SE	**		N SIDE OF JEFFERSONVILL E	1986
MAP # 7 Mollusk	POTAMILUS CAPAX	FAT POCKETBOOK	SE	LE		OHIO RIVER. JEFFERSONVILL E	0000
MAP # 8 Plant	SEDUM TELEPHIOIDES	ALLEGHENY STONECROP	ST	**	,	SEQ LAND GRANT #27	1994
MAP # 9 Bird	NYCTICORAX NYCTICORAX	BLACK-CROWNED NIGHT-HERON	SE	**	003S006E 02		1985
MAP # 10 Crustacean	GAMMARUS BOUSFIELDI	SPRING AMPHIPOD	SE	**		FALLS OF THE	1995
Other type	SPHALLOPLANA WEINGARTNERI	WEINGARTNER'S CAVE FLATWORM	ST	**		OHIO FALLS OF THE OHIO	1995
MAP # 11 Fish	CYCLEPTUS ELONGATUS	BLUE SUCKER	SSC	**		OHIO RIVER NEAR 606 MI MKR, NEW ALBANY.	1983



Indiana Department of Natural Resources

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1646 FAX: 317/232-0693 dhpa@dnr.state.in.us

January 6, 1999

Steve Cecil, Chief
Division of Preliminary Engineering
and Environment
Indiana Department of Transportation
100 North Senate Avenue, Rm. 848
Indianapolis, Indiana 46204

Dear Mr. Cecil:

We have reviewed the proposed construction of two bridges over the Ohio River to alleviate the present congestion at the junction of I-64, I-65, and I-71 in Louisville, Kentucky near Jeffersonville, Clark County, Indiana. This review is being conducted pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470f) and implementing regulations found at 36 C.F.R. Part 800.

Thank you very much for notifying our office of this project. It is our understanding that INDOT is having a preliminary survey of archaeological sites and historic structures completed. We will be happy to comment on the survey once it is completed.

Furthermore, we recommend that you refer to the <u>Clark County Interim Report</u>, <u>Indiana Survey of Historic Sites and Structures</u> in order to provide yourselves with a survey of historic buildings and structures within and adjacent to your project area. A copy of the publication may be purchased through the Historic Landmarks Foundation of Indiana at (317) 639-4534. We are also enclosing a copy of the map of the Old Jeffersonville Historic District for your reference, because the <u>Clark County Interim Report</u> divides it into several smaller districts, which does not accurately reflect the boundaries of the listed district. The district was listed in the National Register of Historic Places on October 6, 1987.

Our office also recommends that you refer to <u>Historic Indiana</u>, a publication that provides a list all those properties listed in the National Register of Historic Places within Indiana. The publication is available for reference at many local libraries. You may also get a list of properties listed in the National Register of Historic Places through the Internet by accessing the Indiana Department of Natural Resources Home page. The address is http://www.ai.org/dnr. Once in the IDNR Home page, go to the Historic Preservation Page. From there, you may click on an icon, which will link you immediately to the National Park Service database, where a comprehensive list of properties is available. If you have any further questions, do not hesitate to contact our office at (317) 232-1646. Thank you for your cooperation.

Very truly yours,

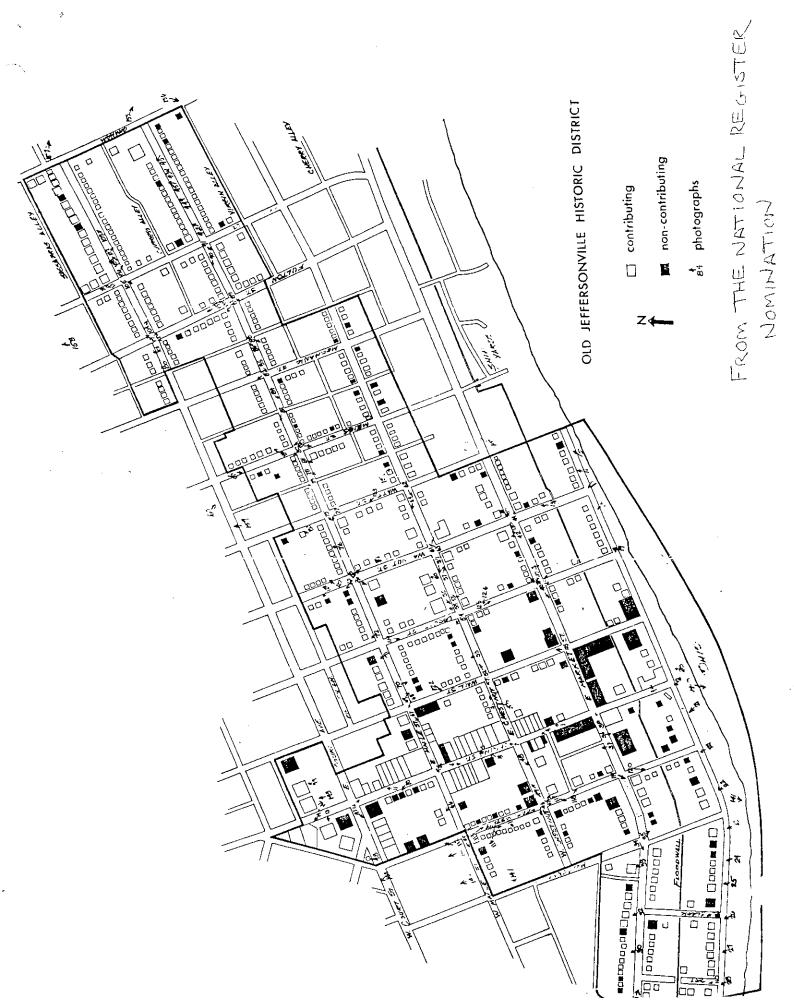
Larry D. Macklin

State Historic Preservation Officer

LDM:JAM:MDF:RSW:rsw

Enclosure (1)

cc: Steve Jose, Division of Fish and Wildlife, Indiana Department of Natural Resources



Frank O'Bannon, Governor Larry D. Macklin, Director

Olvision of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1648 FAX: 317/232-0693 dhpa@dhr.state.in.us

April 5, 1999

Jeffrey A. Vlach Community Transportation Solutions, Inc. 1410 Charlestown-New Albany Pike Jeffersonville, Indiana 47130

Dear Mr. Vlach:

We have reviewed the draft report entitled <u>Documentary Research for the INDOT/KYTC Bridge Crossing in Clark County. Indiana</u> (Blanton, 02/08/99), as well as the draft report entitled <u>Ohio River Bridges Project Documentary Research: Historical Resources in the Study Area. Phase I</u> (The Westerly Group, 01/99), regarding the proposed construction of two bridges over the Ohio River to alleviate the congestion at the junction of I-64, I-65, and I-71 in Louisville, Kentucky, near Jeffersonville, Clark County, Indiana. This review is being conducted pursuant to the National Environmental Policy Act and Section 106 of the National Historic Preservation Act and implementing regulations at 36 C.F.R. Part 800. We apologize for our delay in commenting.

The preliminary document search (Blanton, 02/08/99) conducted by ASC Group does provide some general information on known archaeological resources in the vicinity of the proposed project. However, a formal records search will still be required in advance of any archaeological fieldwork. In addition to existing site data, the records search must incorporate information on previous investigations, a relevant historical context, and recommendations relating to archaeological investigation for the project corridor.

Information for many of the previously recorded sites is limited, and the potential significance of each site would have to be determined on a case-by-case basis in coordination with our office. It is likely that archaeological investigations will be required for any areas of project impact that have not been extensively disturbed by modern development. Moreover, as the methodologies of many early studies (pre-1980) do not meet current standards, it is likely that additional archaeological investigation would be required to reevaluate some areas addressed by previous surveys. Likewise, the significance of previously recorded sites would have to be reevaluated in accordance with current standards.

When possible alignments for the proposed bridges have been determined, we will be able to make more specific comments on the potential impact to archaeological resources. If you have any questions regarding archaeological concerns, please do not hesitate to contact Dr. Rick Jones or Jim Mohow at (317) 232-1646.

In regard to the buildings and structures, we appreciate the thoroughness of the compilation of potentially historic properties by the researchers. Even so, we have several comments on <u>Ohio River Bridges Project Documentary Research</u>, on the large quad map, and on the large aerial maps submitted.

Jeffrey A. Vlach April 5, 1999 Page 2

We have the following comments with respect to the Appendix of the report:

- 1) The historical and architectural properties listed on pp. 9-19 are at least potentially eligible for inclusion in the National Register of Historic Places. However, many of the properties listed there have not been formally evaluated by our office in the course of reviewing other, unrelated federally funded projects. If all of the resources listed were to be carefully evaluated by our office, it is possible that some of the resources listed would not be considered eligible for inclusion in the National Register. As John Carr of my staff suggested at the December 16, 1998, meeting at the Division of Historic Preservation and Archaeology, it would be very time-consuming to evaluate all of those resources for National Register eligibility. Consequently, we will refrain from doing a more in-depth evaluation of those resources until more precise information is available about possible alignments of the new bridges and their approaches.
- 2) According to the asterisks after the headings for the lists, the properties on the lists, which include "C," "N," and "O" rated properties, are eligible for inclusion in the National Register according to the Clark County Interim Report: Indiana Historic Sites and Structures Inventory. However, p. ix of the Clark County Interim Report states, "Contributing properties can be listed in the National Register of Historic Places if they are part of an historic district, but would not usually qualify individually." We recommend that the "C" rated properties outside of identified historic districts be deleted from the lists, since they are not likely to be individually eligible for inclusion in the National Register. The "N" rated properties should remain on the lists, although their potential for National Register eligibility is somewhat lower than that of "O" rated properties.
- 3) With respect to the list of individual sites and buildings in the City of Jeffersonville (pp. 11-16), Site #61049, a commercial building rated "N" and potentially eligible for inclusion in the National Register, has been omitted from the list. Since the property is potentially eligible for the National Register, it should be included, unless the building is no longer standing.
- 4) With respect to the list of sites for the City of Clarksville (p. 17), Site #65006, a house rated "N," and Site #65002, a monument to George Rogers Clark that is rated "O," have been omitted from the list. Since these properties are potentially eligible for inclusion in the National Register, they should be included on the list for the purposes of this study, although historical markers, by themselves, are not necessarily eligible for the National Register. If either of these properties is no longer standing, it need not be included.

With respect to the large quad map provided, we have the following comments:

- 1) The following sites, which are within the area covered by the quad map, are not labeled: #55013, ##55016-022, #55024, ##61049-61050, ##61132-61133, and ##65001-65006.
- 2) On Inset B, Site #61-51 should be changed to Site #61051.
- 3) On Inset A, Site #16059 should be changed to Site #61059.

Jeffrey A. Vlach April 5, 1999 Page 3

Finally, with respect to the large aerial map provided, we have the following comments:

- 1) On Sheet A, Site #IE-HC-5504 should be changed to Site #IE-HC-55004.
- 2) The locations of the Pennsylvania Railroad Bridge, the Louisville Municipal Bridge, and the New York Central Railroad Bridge that cross the Ohio River are labeled but do not bear the numbers assigned to them in the <u>Clark County Interim Report</u>. Because they have been surveyed and are considered to be historic resources, we recommend that they be labeled with their historic site numbers.
- 3) The historic districts identified in the <u>Clark County Interim Report</u> are not labeled with their assigned historic site numbers on the aerial map. Because the historic site numbers are used on the large quad map, we recommend that they also be used on the aerial map in order to be consistent.
- 4) What is Site #ID-HC-56010 at the northwest comer of 7th Street and Spring Street on Sheet G? There is no surveyed site at that location according to the <u>Clark County Interim Report</u>. If you feel that the property is historic, please provide current, clear photographs (not photocopies) of the resource as well as any known historical information (i.e., known or approximate date of construction, an architect or builder, if known, the historic and current use, and any modifications of the resource and the known or approximate date of the modifications).
- 5) Although they are located within the area covered by the aerial map, sites ##61049-61050 are not labeled.

If you have any questions concerning the historical and architectural aspects of this review, please call John L. Carr or Ralph S. Wilcox at (317) 232-1646. Thank you for your cooperation.

Very truly yours,

Latry D. Macklin

State Historic Preservation Officer

LDM:JAM:JLC:RSW:rsw

cc: Steve Cecil, Indiana Department of Transportation



Frank O'Bannon, Governor Larry D. Macklin, Director

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1646 FAX: 317/232-0693 dhpa@dir. state, in.us

April 15, 1999

Jeffrey A. Vlach Community Transportation Solutions, Inc. 1410 Charlestown-New Albany Pike Jeffersonville, Indiana 47130

Dear Mr. Vlach:

I am writing this letter at the request of Ms. Camille Fife, and to clarify our 04/05/99 comments in regards to the documentary information provided to our office relating to the proposed Ohio River Bridges Project. More specifically, our 04/05 letter indicated that, while the initial information related to archaeological resources in the region was helpful, additional archaeological documentation would be required.

We understand that the initial documents search was very general, in keeping with the general scope of the project's early coordination. Given the scope of the initial documents search, it was not feasible for our office to evaluate and comment on every known site within the general project region. However, when specific project impact alternatives have been determined, a more specific background search relating to known sites and the potential for additional archaeological resources within the project area of effect would be a standard part of the next phase of archaeological investigation. The more specific information will allow our office to determine the need for archaeological investigation within any of the proposed project alternates, and to make recommendations regarding the identification or further investigation of archaeological resources.

It should also be noted that specific information relating to the **location** of archaeological resources is not for public disclosure, and should be withheld from public documents. If you have additional questions relating to these matters, please feel free to contact Dr. Rick Jones or Jim Mohow at (317) 232-1646. We look forward to working with you in the future.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:JAM:jam



Indiana Department of Natural Resources

Frank O'Bannon, Governor Larry D. Macklin, Director

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1646 FAX: 317/232-0693 dhpa@dnt.state.in.us

August 9, 1999

Jeffrey A. Vlach Community Transportation Solutions, Inc. 1410 Charlestown-New Albany Pike Jeffersonville, Indiana 47130

Dear Mr. Vlach:

We have reviewed the revised phase I documentary research of historical resources in the study area (Westerly Group, 01/99) regarding the proposed construction of two bridges over the Ohio River to alleviate the present congestion at the junction of I-64, I-65, and I-71 in Louisville, Kentucky in and near Jeffersonville, Clark County, Indiana. This review is being conducted pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470f) and implementing regulations found at 36 C.F.R. Part 800.

As we stated in our previous correspondence, further archaeological evaluation, including records review and field investigation, will be required in advance of project construction. It is our understanding that the additional investigation will be implemented as part of the continuing project evaluation. We will comment further on the project's potential impact upon archaeological resources when we receive the additional information. If you have any questions regarding the archaeological aspects of this review, please do not hesitate to contact Dr. Rick Jones or Jim Mohow at (317) 232-1646.

In regards to the architectural aspects of this review, we want to thank you for the revised information provided with your letter dated May 25, 1999. Having examined the revised report, quad map, and aerial maps, we have one recommendation. The Colgate-Palmolive Historic District boundary on the quad map and the aerial map should be revised to exclude the area northwest of the railroad tracks. Please refer to page 93 of the Clark County Interim Report for your reference. Although the map on page 97 of the Interim Report includes the area northwest of the railroad tracks in the district boundary, it was erroneously drawn to include the district and part of the scattered sites area. Once that has been revised, the review process will continue. If you have any further questions about the architectural aspects of this review, please call John L. Carr or Ralph S. Wilcox at (317) 232-1646. Thank you for your cooperation.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:MDF:RSW:JAM:jam

cc: Steve Cecil, Indiana Department of Transportation



Indiana Department of Natural Resources

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1646 FAX: 317/232-0593 dhpa@dnr.state.in.us

February 16, 2000

Jeffrey A. Vlach Community Transportation Solutions, Inc. 1410 Charlestown-New Albany Pike Jeffersonville, Indiana 47130

Federal Agency: Federal Highway Administration ("FHWA")

Re: Construction of two bridges over the Ohio River to alleviate the present congestion at the junction of I-64, I-65, and I-71 in Louisville, Kentucky (DNR #7276)

Dear Mr. Vlach:

Pursuant to the National Historic Preservation Act (16 U.S.C. § 470 et seq. and 36 C.F.R. Part 800) the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of the supplemental data regarding historic resources for the above indicated project in and near Jeffersonville, Clark County, Indiana for the FHWA.

We have no concerns with the historical research on buildings and structures up to this point. However, we will comment on specific effects to resources once the proposed routes are more concrete.

With respect to archaeological resources, obviously, any potential impact to known cemeteries would have to be coordinated with our office, and treated in accordance with IC 14-21-1 and/or IC 23-14. We also assume that the archaeological assessment, including a Phase I field survey, will be undertaken, once potential routes and alternates have been determined.

This correspondence is to assist the FHWA in its determination regarding the project's effects on historic resources (36 C.F.R. § 800.4). We look forward to getting notice of the FHWA's findings. If you have any further questions, please contact our office at (317) 232-1646.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:RSW:JAM:rsw

cc: Steve Cecil, Indiana Department of Transportation

Jane Cassady, Southern Regional Office, Historic Landmarks Foundation of Indiana

Jeffersonville Main Street



Indiana Department of Natural Resources

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1646 FAX: 317/232-0693 dhpa@drr. state.in.us

June 12, 2000

Jeffrey A. Vlach Beam, Longest and Neff, Inc. 8126 Castleton Road Indianapolis, Indiana 46250

Federal Agency: Federal Highway Administration

Re: The proposed construction of two bridges over the Ohio River

Dear Mr. Vlach:

Pursuant to the National Historic Preservation Act (16 U.S.C. § 470 et. seq. and 36 C.F.R. Part 800) the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of the Phase Ia archaeological reconnaissance report (Striker, Jackson and Blanton 03/03/00) for the above indicated project Clark County, Indiana for the Federal Highway Administration.

The archaeological report, and the related site forms will require minor revisions, but still supply us with sufficient information to comment on the project's potential impact on archaeological resources. The required revisions are as follow:

- 1) In the Cultural History section, diagnostic point types are listed for some, but not all, of the cultural periods. We would recommend that a sample of diagnostic types be included for each period.
- 2) In listing diagnostic point types for the Early Archaic Period (page 10), neither Bifurcate Tradition types or Thebes Tradition types are mentioned. As both technological traditions are well represented in the Falls of the Ohio Region, they should be recognized in the text.
- 3) Also on page 10, Big Sandy points are referred to as being diagnostic of the **Middle** Archaic Period. However, on page 102, in discussing the Big Sandy point recovered from site 12-Cl-536, the point is rightfully accredited to the Early Archaic Period, as per Justice 1987. Please correct the text on page 10.
- 4) On page 13, paragraph three is rather confusing, as it seems to indicate that the Crab Orchard Tradition is essentially an Early Woodland, Adena-like Tradition. Based on current evidence, Crab Orchard is more generally attributed to the early portion of the Middle Woodland Period, and exhibiting a combination of Early and Middle Woodland technologies.
- 5) On page 22, the author repeatedly refers to the investigation of "high probability" areas. Please clarify the criteria by which "high probability" areas were defined.
- 6) For the required revisions to the site inventory forms, see the enclosed sheets.

When these revisions have been completed, the corrected pages and site forms should be submitted to our office.

Based on the information provided, we concur with some, but not all, of the conclusions and recommendations of the archaeological contractor. The preliminary data suggest that sites 12-Cl-22 (referred to as"543" in the report), 129, 509, 510, 516, 525, 530, 533, 535, 542, 551, 555, and 561 may contain significant information relating to the prehistoric and/or historic habitation of southern Indiana. As such, we believe these sites to be potentially eligible for inclusion in

Jeffrey Vlach June 12, 2000 Page 2

the National Register of Historic Places. Given their potential significance, these sites must either be completely avoided by the proposed project, or, if such avoidance is not feasible, subjected to archaeological test excavation in advance of project construction. Prior to testing, a plan outlining the proposed Phase II methodology must be submitted to our office for review and comment.

In regards to sites 12-Cl-527, 538, 549, and 559, we believe there is insufficient information to determine their potential significance. If these sites cannot be avoided by the proposed project, additional research of historic documents would be needed to better determine the probable age of the cultural features (wells or cisterns) in question. The additional information should then be provided to our office for review and comment.

Based on current evidence, there is little reason to believe that site 12-Cl-534 will contain significant archaeological deposits. The "soil anomaly" identified on the site is not clearly cultural, and only a small number of artifacts were recovered from the site. Given these factors, we do not think that additional investigation of the site is warranted. Likewise, the remaining sites identified by the reconnaissance are not likely to meet the minimum criteria for inclusion in the National Register, and do not appear to warrant further investigation.

We agree that those areas that were not surveyed due to a lack of permission or the presence of livestock, will have to be surveyed if they may be impacted by the project alignments. Additionally, once preferred alignments have been determined, systematic subsurface reconnaissance will probably be required of Ohio River floodplain or alluvial terraces that are suitable to contain deeply buried archaeological deposits. Prior to such fieldwork, a plan outlining the methodology of the subsurface reconnaissance should be submitted to our office for review and comment.

Please advise us as to how you proceed pertaining to the avoidance or further investigation of sites 12-Cl-22, 129, 509, 510, 516, 525, 527, 530, 533, 535, 538, 542, 549, 551, 555, 559, and 561. If you have any questions regarding this matter, please contact Dr. Rick Jones or Jim Mohow at (317) 232-1646.

A copy of this correspondence is being sent to the Federal Highway Administration to assist in its determination regarding the project's effects on historic resources (36 C.F.R. § 800.4). We look forward to receiving notice of the agency's findings.

Very truly yours,

Lary D. Macklin

State Historic Preservation Officer

LDM:JAM:jam

cc: Steve Cecil, INDOT

HLFI, Southern Regional Office, Jeffersonville Steve Jose, IDNR Div. of Fish and Wildlife HP NUM:

2000785

PROJECT NAME:

A Phase Ia Investigation for the Proposed Louisville Bridge (IND

0-91)

Clark

INSTITUTION

ASC Group

513/772-4968 FAX

COUNTY: OUADRANGLE(S):

Jeffersonville

The following changes have been made to site forms for the above project. Please verify these changes at your earliest convenience and notify us should you not concur, so that modifications can be made:

12-Cl-543 is not a new site, but overlaps previously recorded site 12-Cl-22. For this reason, this site form has been changed to a resurvey of 12-Cl-22 and the number 12-Cl-543 has been made available for reassignment.

The township and range numbers were taken from the adjoining New Albany Quad

12-Cl-22(resurvey):

Add section grid alignment: NE corner of quarter section grid

placed on NE corner of grant

Change reserve/military grant number from 16 to 7 Add quarter sections se/sw/se/nw S7 T2s R6e Change utmn from 4242590 to 4242630

12-Cl-129(resurvey):

Add section grid alignment: SW corner of quarter section grid

placed on SW corner of grant

Add quarter locations se/sw/sw/ne S15 T2s R6e Add quarter locations sw/se/sw/ne S15 T2s R6e

Due to the size and shape of the site, the following UTMs have

been added to the NE and SW boundaries

utmn 4243740, utme 616380 utmn 4243670, utme 616280

12-Cl-499:

Add section grid alignment: SW corner of quarter section grid

placed on SW corner of grant

Add quarter locations sw/nw/nw/se S23 T2s R6e

Change utmn from 4244030 to 4244070 Change utme from 613890 to 613940

12-C1-500:

Add section grid alignment: SW corner of quarter section grid

placed on SW corner of grant

Add quarter locations nw/ne/nw/nw S14 T2s R6e

Change utmn from 4243030 to 4243070 Change utme from 614270 to 614320

12-Cl-501:

Add section grid alignment: SW corner of quarter section grid

placed on SW corner of grant
Add quarter locations ne/sw/nw/nw S14 T2s R6e

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12-Cl-502:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/sw/sw/nw S14 T2s R6e
12-Cl-503:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/ne/nw/se S13 T2s R6e
12-Cl-504:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/se/sw/se S13 T2s R6e Change utme from 614830 to 614880
12-Cl-505:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations se/ne/nw/nw S6 T2s R6e
12-Cl-506:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations ne/ne/sw/nw S6 T2s R6e Change utme from 615170 to 615210
12-Cl-507:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations nw/se/sw/nw S6 T2s R6e Change utme from 615230 to 615260
12-C1-508:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations sw/se/sw/nw S6 T2s R6e
12-Cl-509:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations sw/se/sw/nw S6 T2s R6e Change utmn from 4240900 to 4240930
12-Cl-510:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations ne/ne/nw/sw S6 T2s R6e Change center point utmn from 4240920 to 4240940 Due to the shape and size of the site, the following UTMs have been added to the N, S, E and W boundaries utmn 4240980, utme 615460 utmn 4240880, utme 615460

utmn 4240930, utme 615520 utmn 4240930, utme 615400

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12-Cl-511:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add reserve/military grant number 6 Add quarter locations se/nw/ne/sw S6 T2s R6e
12-Cl-512:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Change reserve/military grant number from 23 to 24 Add quarter locations ne/nw/nw/sw S24 T2s R6e Change utme from 114330 to 614330
12-Cl-513:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Change grant number from 23 to 24 Add quarter locations ctr. of n ½ /nw/nw/sw S24 T2s R6e
12-Cl-514:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/sw/ne/sw S24 T2s R6e
12-Cl-515:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ne/se/nw/sw S24 T2s R6e Change utmn from 4244470 to 4244510
12-Cl-516:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations n ½/se/nw/sw S24 T2s R6e Change utmn from 4244440 to 4244470
12-Cl-517:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ne/ne/nw/sw S24 T2s R6e
12-C1-518:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant. Add quarter locations nw/ne/nw/sw S24 T2s R6e Change utmn from 4244540 to 4244570
12-C1-519:	Add Reserve/military grant number 24 Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/se/sw/nw S24 T2s R6e Change utmn from 4244550 to 4244610

12-C1-520:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/se/ne/sw S24 T2s R6e Change utmn from 4244610 to 4244640
12-Cl-521:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ctr. of sw/ne/sw S24 T2s R6e Change utmn from 4244450 to 4244500
12-C1-522:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ne/ne/se/sw S24 T2s R6e Change utmn from 4244510 to 4244550
12-Cl-523:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ctr. of nw/se/sw S24 T2s R6e
12-Cl-524:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ne/nw/se/sw S24 T2s R6e Change utmn from 4244410 to 4244450
12-Cl-525:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/se/ne/sw S24 T2s R6e Change utmn from 4244490 to 4244530
12-CI-526:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ctr of n ½/ne/se/sw S24 T2s R6e Change utmn from 4244500 to 4244540
12-Cl-527:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/ne/se/sw S24 T2s R6e Change utmn from 4244450 to 4244480
12-C1-528:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ne/nw/se/sw S24 T2s R6e Change utmn from 4244380 to 4244410

12-Cl-529: For grant 24: Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant For grant 15: Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations se/sw/se/sw S24 T2s R6e Add quarter locations ne/nw/ne/nw S15 T2s R6e Change utmn from 4244240 to 4244270 For grant 24: Add section grid alignment: SW corner of quarter 12-C1-530: section grid placed on SW corner of grant For grant 15: Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations sw/se/se/sw S24 T2s R6e Add quarter locations nw/ne/ne/nw S15 T2s R6e Add quarter locations ne/nw/ne/nw S15 T2s R6e Change utmn from 4244290 to 4244330 Add section grid alignment: NW corner of quarter section grid 12-Cl-531: placed on NW corner of grant Add quarter locations s ½/ne/ne/nw S15 T2s R6e Add quarter locations n 1/2/se/ne/nw S15 T2s R6e Change center point utmn from 4244160 to 4244200 Due to the shape and size of the site, the following UTMs have been added to the N, S, E, and W boundaries. utmn 4244300, utme 615570 utmn 4244100, utme 615570 utmn 4244200, utme 615470 utmn 4244200, utme 615650 Add section grid alignment: SW corner of quarter section grid 12-Cl-532: placed on SW corner of grant Add quarter locations sw/nw/nw/ne S15 T2s R6e Change utmn from 4244030 to 4244110 Change utme from 615830 to 615800 Add section grid alignment: SW corner of quarter section grid 12-Cl-533: placed on SW corner of grant Add quarter locations w 1/2/ne/sw/ne S15 T2s R6e Add quarter locations e ½/nw/sw/ne S15 T2s R6e Change center point utmn from 4243850 to 4243890 Due to the size and shape of the site, the following UTMs have been added to the N and S boundaries utmn 4243940, utme 616110 utmn 4243820, utme 616130

Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant

12-Cl-534:

Add quarter locations sw/ne/nw/se S15 T2s R6e Change utmn 4243560 to 4243590

12-Cl-535:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/se/nw/se S15 T2s R6e Add quarter locations ne/sw/nw/se S15 T2s R6e
12-Cl-536:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations sw/sw/nw/sw S16 T2s R6e Change utmn from 4243670 to 4243700
12-Cl-537:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations ne/sw/sw/sw S16 T2s R6e
12-Cl-538:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations nw/sw/sw/sw S16 T2s R6e
12-Cl-539:	Add section grid alignment: NW corner of quarter section grid placed on NW corner of grant Add quarter locations se/sw/sw/sw S16 T2s R6e
12-C1-540:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/nw/sw/sw S16 T2s R6e
12-Cl-541:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/sw/sw/sw S16 T2s R6e
12-Cl-542:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations se/ne/sw/se S15 T2s R6e
12-Cl-544:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/ne/nw/se S15 T2s R6e
12-Cl-545:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ne/sw/se/se S24 T2s R6e Change utmn from 4244710 to 4244740

Change utme from 615730 to 615690

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12-Cl-546:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations ctr. n ½/sw/se/se S24 T2s R6e Change utmn from 4244710 to 4244740
12-Cl-547:	Add section grid alignment: NE corner of quarter section grid placed on NE corner of grant Add quarter sections e ½/ne/ne/nw S16 T2s R6e Add quarter locations nw/nw/nw/ne S16 T2s R6e Change center point utmn 4244800 to 4244850 Due to the size and shape of the site, the following UTMs have been added to the N and S boundaries utmn 4244950, utme 616200 utmn 4244730, utme 616230
12-Cl-548:	Add section grid alignment: NE corner of quarter section grid placed on NE corner of grant Add quarter locations nw/se/sw/ne S16 T2s R6e
12-Cl-549:	Add section grid alignment: NE corner of quarter section grid placed on NE corner of grant Add quarter locations se/nw/sw/ne S16 T2s R6e
12-Cl-550:	Add section grid alignment: NE corner of quarter section grid placed on NE corner of grant Add quarter locations sw/ne/sw/ne S16 T2s R6e Change utmn from 4244590 to 4244630
12-Cl-551:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations se/ne/sw/sw S17 T2s R6e
12-Cl-552:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/se/nw/sw S17 T2s R6e
12-Cl-553:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations nw/se/nw/sw S17 T2s R6e Change utmn from 4244370 to 4244440
12-Cl-554:	Add section grid alignment: SW corner of quarter section grid placed on SW corner of grant Add quarter locations sw/se/nw/sw S17 T2s R6e

Add section grid alignment: SW corner of quarter section grid 12-Cl-555: placed on SW corner of grant Add quarter locations ne/se/nw/sw S17 T2s R6e Change utmn from 4244440 to 4244480 Change utme from 617850 to 615900 Add section grid alignment: SW corner of quarter section grid 12-CI-556: placed on SW corner of grant Add quarter locations se/se/nw/sw S17 T2s R6e Add section grid alignment: SW corner of quarter section grid 12-Cl-557: placed on SW corner of grant Add quarter locations sw/sw/ne/sw S17 T2s R6e Add section grid alignment: SW corner of quarter section grid 12-Cl-558: placed on SW corner of grant Add quarter locations ctr. of n 1/2/ne/sw/se S24 T2s R6e Change utmn from 4244710 to 4244770 Change utme from 615310 to 615350 Add section grid alignment: SW corner of quarter section grid 12-Cl-559: placed on SW corner of grant Add quarter locations sw/se/nw/sw S25 T2s R6e Change utmn from 4245120 to 4245150 Add section grid alignment: NW corner of quarter section grid 12-Cl-560: placed on NW corner of grant Add quarter locations nw/sw/se/nw S17 T2s R6e Add section grid alignment: NW corner of quarter section grid 12-Cl-561: placed on NW corner of grant Add quarter locations nw/se/se/sw S17 T2s R6e Add quarter location sw/ne/se/sw S17 T2s R6e Add quarter location ne/sw/se/sw S17 T2s R6e Change center point utmn from 4244620 to 4244650 Due to The shape and size of the site, the following UTMs have been added to the N and S boundaries

Thank-you very much.

If you have any questions please contact Kimberly Tinkham at (317) 232-1646.

utmn 4244720, utme 618250 utmn 4244580, utme 618210



Indiana Department of Natural Resources

Division of Historic Preservation and Archeeology 402 W, Washington Street, W274 Indianapolis, IN 48204-2748 PH: 317/232-1648 FAX: 317/232-0693 dhpa@dnr.state.in.us

August 14, 2000

Jeffrey A. Vlach
Community Transportation Solutions, Inc.
Ten Thousand Building, Suite 110
Shelbyville Road
Louisville, Kentucky 40223

Federal Agency: Federal Highway Administration ("FHWA")

Re: The revised Phase Ia archaeological report for the proposed construction of two new bridges across the Ohio River at Louisville

Dear Mr. Vlach:

Pursuant to the National Historic Preservation Act (16 U.S.C. § 470 et. seq. and 36 C.F.R. Part 800) the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of the revised Phase Ia archaeological report (Striker, Jackson, and Blanton 07/05/00 and 07/25/00) for the above indicated project Clark County, Indiana for the FHWA.

As you are aware, the first revised copy (07/05/00) that was provided to us was missing all figures and tables, and therefore could not constitute a finished report. However, the next copy (07/25/00) provided to our office did incorporate the requested revisions and all other elements of the report. The 07/25/00 report is, therefore, acceptable as submitted. The revisions to the Phase Ia report do not, however, after our comments of 06/12/00 regarding the potential significance of the sites recorded by the survey, or the need for additional Phase Ia and Phase Ic investigation within the project area.

A copy of this correspondence is being sent to the FHWA to assist in its determination regarding the project's effects on historic resources (36 C.F.R. § 800.4). We look forward to receiving notice of the agency's findings.

If you have any further questions, please contact Dr. Rick Jones or Jim Mohow of our office at (317) 232-1646.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:JAM:jam

cc: Steve Cecil, INDOT, IGCN Room N848
Southern Regional Office, HLFI, Jeffersonville
Jeffersonville Main Street

FACSIMILE TRANSMITTAL

Division of Historic Preservation and Archaeology Indiana Department of Natural Resources 402 West Washington Street, Room W274 Indianapolis, Indiana 46204

Telephone: 317-232-1646 Facsimile: 317-232-0693

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Indiana Department of Natural Resources

Division of Historic Presentation and Archaeology 472 W. Waathington Sireet, W274 Indianapolis, IN 45204-2748 PH: 317/232-1548 FAX: 317/232-0593 dhps@don.state.lin.us

August 15, 2000

Jeffrey A. Vlach
Community Transportation Solutions, Inc.
Ten Thousand Building, Suite 110
Shelbyville Road
Louisville, Kentucky 40223

Federal Agency: Federal Highway Administration ("FHWA")

Re: Historical and cultural survey (Community Transportation Solutions, Inc., 03/2000) for the proposed construction of two bridges over the Ohio River to alleviate the present congestion at the junction of I-64, I-65, and I-71 in Louisville, Kentucky

Dear Mr. Vlach:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of the above indicated project in and near Jeffersonville, Clark County, Indiana, for the FHWA.

The following properties within the probable area of potential effects of the project area have been listed in the National Register of Historic Places:

- 1) Louisville Municipal Bridge carrying U.S. 31 over the Ohio River Listed on March 8, 1984.
- 2) Old Jeffersonville Historic District Listed on October 6, 1987.
- Grisamore House at 111-113 West Chestnut Street in Jeffersonville Listed on May 9, 1983.

We believe that the following properties within the probable area of potential effects of the project should be considered eligible for inclusion in the National Register for their architectural or historical significance:

1) William Ingram House on Sparkes Avenue in Clarksville (Site #65019 in the Clark County Interim Report [all subsequent site numbers in this letter are also from that report]) - The William Ingram House is significant for its associations with William Ingram, an important Clarksville industrialist. It is also significant as the best remaining example of a high-style industrialist's mansion in Clarksville.

- 2) Pennsylvania Railroad Bridge over the Ohio River (Site #55022) The Pennsylvania Railroad Bridge is significant as an important example of early twentieth-century bridge technology most likely designed and built by the Pennsylvania Railroad. Furthermore, the 644' Pennsylvania-thru span was the longest span of its kind when it was constructed c.1918.
- 3) New York Central Railroad Bridge over the Ohio River (Site #55024) The New York Central Railroad Bridge is significant as an important example of early twentieth-century bridge technology most likely designed and built by the New York Central Railroad.
- 4) Swartz House on Utica-Sellersburg Road (Site #45026) The Swartz House is significant architecturally as a good example of the Italianate style of architecture adapted to an I-House type of dwelling.
- 5) Railroad Depot at 1030 Spring Street in Jeffersonville (Site #61007) The Railroad Depot on Spring Street is significant historically for its associations with railroad transportation in the Jeffersonville area, and is significant architecturally as a good example of early twentieth-century depot design.
- 6) Farm on Utica Pike (Site #55008) The Farm on Utica Pike is an impressive example of an early to mid-nineteenth century I-House with good architectural integrity.
- 7) Fry House on the Utica-Sellersburg Road (Site #45030) The Fry House, like to Farm on Utica Pike, is a good surviving example of an intact nineteenth-century I-House.
- Prather Farm on Herb Lewis Road (Site #45029) The Prather Farm is significant historically for its associations with early settlement and agriculture in Clark County. It is also significant architecturally as a good example of the I-House form.
- 9) Ohio Falls Car and Locomotive Company Historic District (Site ## 64001-024) The Ohio Falls Car and Locomotive Company Historic District is significant for its associations with rail transportation and the production of rail cars in Indiana.
- 10) Colgate-Palmolive Historic District The Colgate-Palmolive Historic District, which would include Site ##63003-63004 and ##63007-63008, is significant for its associations with the nineteenth-century Southern Indiana Reformatory. Furthermore, the Indiana Reformatory Building (Site #63004) is a good example of a large institutional building with Victorian Gothic influence.

Jeffrey A. Vlach August 15, 2000 Page 3

- 11) Colgate-Palmolive Office Building (Site #63001) The Colgate-Palmolive Office Building is significant as a good example of Art Moderne architecture with some Art Deco influences.
- 12) Quartermaster Depot Historic District (Site ##60001-007) The Quartermaster Depot Historic District is significant historically for its associations with supplying the Army up through the end of the Korean Conflict. It is also significant architecturally as an important example of the accomplishments of Major General J. C. Meigs.

Furthermore, we believe that the following properties are within the probable area of potential effects of the project, and are potentially eligible for inclusion in the National Register:

- 1) Colgate School on Montgomery Avenue in Clarksville (Site # 65021).
- 2) City School on Wall Street in Jeffersonville (Site # 61048).

However, a complete analysis of those two schools' significance is not possible without additional information. If you wish to receive further comments from us regarding their significance, then please provide the following information on the schools:

- Clear photographs (not photocopies) illustrating the existing conditions of the interior of the buildings. Also, please key the photographs to a site plan for our reference.
- 2) A list of modifications to the buildings and the known or approximate dates of the modifications.

Furthermore, a complete analysis of the project's effects on all of the above resources is not possible with the information provided to us to date. To enable us to comment on the nature of the projects' potential effects on those properties, please provide the following information:

- 1) Schematic site plans illustrating the proposed routes in relation to the above resources.
- 2) The known or approximate distances from the proposed routes to the above resources.
- 3) Whether any of the above resources would need to be demolished to accommodate any of the proposed routes. If so, please indicate which resources and whether the routes could be modified to prevent demolition of the resources.

Jeffrey A. Vlach August 15, 2000 Page 4

This correspondence is to assist the FHWA in its determination regarding the project's effects on historic resources (36 C.F.R. § 800.4). If you have any questions, please contact our office at (317) 232-1646.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:RSW:JLC:rsw

cc: Steve Cecil, Indiana Department of Transportation
James E. Juricic, Indiana Department of Transportation
Jane Cassady, Southern Regional Office, Historic Landmarks Foundation of Indiana, Inc.
Jeffersonville Main Street
David L. Morgan, Kentucky State Historic Preservation Officer
Elizabeth S. Merritt, National Trust for Historic Preservation



Indiana Department of Natural Resources

Division of Historic Preservation and Archeeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2746 PH: 317/232-1648 FAX: 317/232-0683 dhos@dor.state.jh.us

August 22, 2000

Jeffrey A. Vlach Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, Kentucky 40223

Federal Agency: Federal Highway Administration ("FHWA")

Re: Preliminary area of potential effects for the proposed construction of two bridges over the Ohio River to alleviate the present congestion at the junction of I-64, I-65, and I-71 in Louisville, Kentucky (DNR #7276)

Dear Mr. Vlach:

Pursuant to the National Historic Preservation Act (16 U.S.C. § 470 et seq. and 36 C.F.R. Part 800) the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of the above indicated information for the Louisville-Southern Indiana Ohio River Bridges Project in and near Jeffersonville, Clark County, Indiana, for the FHWA.

Thank you for providing the definition of the preliminary area of potential effects ("APE") in your letter dated August 21, 2000. Having examined it, we have no concerns with the preliminary APE. However, as alternative routes are eliminated, it may be necessary to refine the boundaries of the APE in the future.

A copy of this correspondence is being sent to the FHWA to assist in its determination regarding the project's effects on historic resources (36 C.F.R. § 800.4). We look forward to receiving notice of the FHWA's findings. If you have any further questions, please contact our office at (317) 232-1646.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:R\$W:rsw

cc: Steve Cecil, Indiana Department of Transportation
Southern Regional Office, Historic Landmarks Foundation of Indiana
Jeffersonville Main Street

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Indiana Department of Natural Resources

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274

FAX: 317/Z32-0093 chpo@dm.ctels.id.ud

December 1, 2000

Jeffrey A. Vlach
Community Transportation Solutions, Inc.
Ten Thousand Building, Suite 110
Shelbyville Road
Louisville, Kentucky 40223

Federal Agency: Federal Highway Administration ("FHWA")

Re: The addendum archaeological survey report (Striker 09/29/00) for Alignment A-9, in conjunction with the proposed construction of two bridges over the Ohio River

Dear Mr, Vlach:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the archaeological addendum report dated 09/29/00 for the above indicated project in and near Jeffersonville, in Clark County, Indiana.

Based upon the results of the archaeological Phase Ia reconnaissance, we concur with the conclusions and recommendations of the archaeological contractor. Current evidence indicates that sites 12-C1-22, 516, 525, 527, 529, 530, 623 may contain significant, intact, archaeological deposits relating to the historic and/or prehistoric habitation of southern Indiana. As such, these sites must either be avoided by all construction activities, or, if such avoidance is not feasible, subjected to archaeological testing to clearly determine their eligibility for inclusion in the National Register of Historic Places. Prior to any additional investigation of the sites, a plan outlining the proposed research design and methodology must be submitted to our office for review and comment.

We also agree that, other than the sites listed above, the other sites identified within the A-9 are not likely to meet the minimum criteria for inclusion in the National Register. Accordingly, no further investigation of these sites appears to be warranted.

If you have questions about our comments, please call our office at (317) 232-1646. Questions about archaeological issues should be directed to Dr. Rick Jones or Jim Mohow. Questions about buildings or structures should be directed to Ralph Wilcox.

ery truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:KAB:RSW:JAM:jam

cc: Steve Cecil, INDOT, IGCN, Rm. N848
Southern Regional Office, HLFI, Jeffersonville.
Jeffersonville Main Street

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Indiana Department of Natural Resources

Frank O'Bannon, Governor Larry D. Macklin, Director

> Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2748 PH: 317/232-1646 FAX: 317/232-0693 dhpa@dnr state in us

April 11, 2001

Bill G. Carwile, P.E. Environmental Analysis Manager Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, Kentucky 40223

Federal Agency: Federal Highway Administration

Re: Louisville-Southern Indiana Ohio River Bridges Project, area of potential effects, Clark County, Indiana

Dear Mr. Carwile:

We are in receipt of your letter to us dated January 17, 2001, regarding this project. That letter was accompanied by maps of the project areas, copies of letters sent to other consulting parties, and a copy of a list of historic properties that you had sent to the consulting parties. Jeffrey Vlach of Community Transportation Solutions, Inc. ("CTS") has asked John Carr of my staff that we comment on the area of potential effects that is delineated on those maps, which we will proceed to do, pursuant to Section 106 of the National Historic Preservation Act and 36 C.F.R. Part 800.

We also received a copy of a letter to you dated March 21, 2001, by Elizabeth S. Merritt, Associate General Counsel of the National Trust for Historic Preservation. She expressed the opinion that the area of potential effects ("APE"), especially for the eastern crossing, is too narrowly drawn to reflect adequately the geographic area in which the project could directly or indirectly affect historic properties. She also maintained that where one part of an historic district is in the path of an alignment, the entire district should be included within the APE.

It is obvious that Ms. Merritt has given considerable thought to these issues, and we believe that her opinions should be given careful consideration. By the same token, my staff recalls discussing with yours last year the need to pare down the preliminary APEs for the Indiana side of the eastern and downtown crossings. Those preliminary APEs consisted of two large study areas, each of which contained several preliminary alignments that were then under consideration. Our concern was that leaving the APEs so large would expand unnecessarily the work of identifying every historic property within the APE and assessing effects (if any) on each historic property that your office and ours--and, ultimately, the Federal Highway Administration--would have to do. It occurs to us that the APEs currently proposed probably have been influenced by our request to pare down the preliminary APEs, and we apologize if anything we said misled anyone.

We have found that defining an APE is not an exact science, and it necessarily requires a certain amount of approximation regarding the area in which different kinds of effects could be felt. It is perhaps easiest, although not necessarily easy, to define the areas in which physical and visual effects could occur, at least if one can picture through the aid of visual simulations or in ones' minds' eye how the demolition and construction would appear while in progress and after completion. It is more difficult to define the APE to take into account changes in the character of an historic property's use (e.g., by

Bill G. Carwile April 11, 2001 Page 2

limiting access to, or by increasing traffic flow near, an historic property) and changes caused by the introduction of audible or other environmental elements, which, according to the applicable regulations, could have not only an effect but also an adverse effect. See 36 C.F.R. § 800.5(a)(2).

In any event, the APEs for the eastern crossing alternates, do appear to us to be too narrow to take into account even the visual effects that a large bridge or an elevated roadway (where applicable) could have on nearby historic properties. We would recommend that those APEs be reconsidered in light of 36 C.F.R. §§ 800.16(d) and (I), 800.4(a)(1), and 800.5(a).

The combined APE for the downtown crossing alternates appears to come closer to enclosing the area in which various kinds of effects on historic properties might reasonably be expected to occur. Even so, from the standpoint of visual effects alone, the combined APE perhaps could be broadened somewhat, on the east side to the north of Court Avenue, at the least, and on the west side to the north of the Colgate Palmolive plant.

We are uncertain whether we can agree entirely with Ms. Merritt's assertion that if any part of an historic district is traversed by a highway alignment, then the entire district should be included within the APE. Clearly, we would agree in the sense that an effect on one contributing property within a district is an effect on the whole district, simply by virtue of the fact that the historic property type is a district rather than an individual building. However, we are not sure that it is always necessary to include within an APE--i.e., to commit to considering how the introduction of visual, auditory, or other kinds elements will affect--the far reaches of an historic district, when those effects are likely to be felt at one end but not the other. On the Indiana side, a typical example of this situation likely would be the relatively large Old Jeffersonville Historic District, the eastern boundary of which is at least three-quarters of a mile from the nearest alignment under consideration. Moreover, the determination of the APE should preceed the research on, identification of, and evaluation of the significance of historic properties, according to 36 C.F.R. § 800.5(a)-(c).

Without knowing more about the specifics of the probable bridge and highway construction and design, we find it difficult to gauge which, if any, kinds of effects other than those of a physical or visual nature could occur. Consequently, we do not have any specific advice on how and where any of the APEs should be expanded to take into account those other kinds of effects.

You are welcome to call John Carr of my staff at (317) 232-1646 if you have any questions about our comments.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:JLC:jlc

cc: Veffrey Vlach, Beam, Longest and Neff, Indianapolis
Elizabeth S. Merritt, National Trust for Historic Preservation, Washington, D.C.

Jane Cassady, Historic Landmarks Foundation of Indiana, Inc., Jeffersonville



Indiana Department of Natural Resources

Frank O'Bannon, Governor Larry D. Macklin, Director

Division of Historic Preservation and Archaeology 402 W. Weehington Street. W274 Indianapoils, IN 45204-2748 PH: 317/232-1648 FAX: 317/232-0693 dhpa@drr.state.in.us

April 18, 2001

Jeffrey A. Vlach
Deputy Environmental Analysis Manager
Community Transportation Solutions, Inc.
Ten Thousand Building, Suite 110
Shelbyville Road
Louisville, Kentucky 40223

Federal Agency: Federal Highway Administration

Re: <u>Cultural Resources Reconnaissance and Analysis Phase II Indiana Historic Resources</u> (The Westerly Group, February 2001) for the Louisville-Southern Indiana Ohio River Bridges Project

Dear Mr. Vlach:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800) the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of your cover letter dated February 28, 2001, and copies of the Phase II report, which were received by DHPA on March 1, 2001, for the above indicated project in Clark County, Indiana.

As requested by Janice Osadczuk of the Indiana Department of Transportation of John Carr on March 15, 2001, we will comment only on the eligibility for the National Register of Historic Places of properties identified within the Phase II report. Consequently, we will not comment on possible effects at this point. Furthermore, as it is the Federal agency's responsibility to determine, in consultation with the Indiana SHPO, whether properties the eligibility criteria, we will not be making "determinations of eligibility" in any formal sense (see 36 C.F.R. § 800.4[c][2]), but we will offer our opinions and comments on matters relating to eligibility. Also, we will not comment in this letter on the areas of potential effects, other than to refer you to our April 11, 2001, letter to Bill G. Carwile of Community Transportation Solutions, Inc.

Generally speaking, properties that are rated contributing in an interim report and that are not located within a listed or identified historic district are not individually eligible for the National Register and, thus, are not historic. Consequently, where the Phase II report has noted, for example, that a property is rated contributing in the <u>Clark County Interim Report</u>—or should have been rated contributing if it had been included in the interim report—and where the property is not located within an identified historic district, we have assumed that the property probably is not individually eligible for the National Register.

However, survey ratings, by themselves, are not determinative of whether a property is or is not individually eligible. In fact, properties rated notable, upon closer inspection, often are found not to be individually eligible. Occasionally we have concluded, in reviews of other projects, that even a particular property that is rated outstanding is not individually eligible. In the interest of time, we have assumed in most instances, for the purposes of the Section 106 review of this project, that properties identified in the Phase II report as having been rated either notable or outstanding in the Clark County Interim Report—or as probably meriting a rating of either notable or outstanding, if they were not included in the interim report—probably are individually eligible for inclusion in the National Register eligibility of properties.

Below are listed the historic site inventory number (where applicable) for each property identified in the Phase II report, followed by our comment on their likely eligibility for inclusion in the National Register of Historic Places.

Eastern Alignments

- 45026 Probably is individually eligible.
- 45025A Probably not individually eligible.
- 45026A Farmstead may be individually eligible, but to offer a more definite opinion, we would need to see other photographic views of the house and views of at least the larger outbuildings; available historical information about the farmstead also would be helpful.
- Probably not individually eligible; barns, without a related farm house at least 50 years old (i.e., being part of a farmstead), generally are not individually eligible, unless they are round or polygonal in form.

Myers Farm (Photos #6 and #7) Probably not individally eligible.

- 12-Cl-551 (Photo #8) May be individually eligible; we would need to know more about the historical or archaeological significance of this ground hog kiln and about its integrity in order to comment further.
- 12-Cl-561 (Photo #9) May be individually eligible; we would need to know more about the historical or archaeological significance of these two 30-foot kilns and about their integrity in order to comment further.
- 45028 Probably not individually eligible.

45028A	Probably not individually eligible.			
45029A	Probably not individually eligible.			
45029	Farmstead probably is individually eligible.			
45027	Farmstead is listed in the Indiana Register of Historic Sites and Structures; however, it appears that it probably does not hold sufficient significance or retain sufficient integrity to be National Register eligible.			
45027A	Probably not individually eligible; a barn, without a related farm house at least 50 years old (i.e., being part of a farmstead), generally will not be individually eligible, unless the barn is round or polygonal.			
45030	Probably is individually eligible.			
45031	Probably is individually eligible.			
Ca. 1920s bungalow (Photo #21) Probably not individually eligible.				
45024	Farmstead probably individually eligible for its relationship to early settlement.			
55005D	Probably not individually eligible.			
45023	Probably not individually eligible.			
55004	Reportedly demolished; consequently, not eligible.			
55005A	Probably not individually eligible.			
55005B	Farmstead may be individually eligible; but to offer a more definite opinion, we would need to see other photographic views of the house illustrating its integrity; available historical information about the farmstead also would be helpful.			
55005C	Farmstead, including dairy barn, probably is not individually eligible.			
55005D	Probably not individually eligible.			
55005	Reportedly demolished; consequently, not eligible.			
45032A	Probably not individually eligible.			

45034 Probably not individually eligible.

45034⁵ Probably is individually eligible.

45035A Probably not individually eligible.

Downtown Jeffersonville and Clarksville

Old Jeffersonville Historic District Listed in National Register.

502 W. Riverside Dr. (Photo #19) Probably contributes to historic district.

57001 Probably contributes to historic district.

57049 Probably contributes to historic district.

57050 Probably contributes to historic district.

502 W. Market St. Probably contributes to historic district.

506 W. Market St. Probably does not contribute to historic district.

57004 Probably contributes to historic district.

57005 Probably contributes to historic district.

Early 20th century front gable commercial building (Photo #23) Probably contributes to historic district.

Colgate-Palmolive Historic District Probably is eligible for National Register.

63004 Probably contributes to historic district.

63003 Probably contributes to historic district.

63007 Probably contributes to historic district.

63001 Probably contributes to historic district.

- 63005 Probably contributes to historic district.
- 63008 Probably contributes to historic district.
- May be individually eligible; but to offer a more definite opinion, we would need to see other photographic views of the school illustrating its integrity; available historical information about the school also would be helpful.
- Ohio Falls Car and Locomotive Company Historic District (64001-024) Probably is eligible for National Register.
- 55024 Listed in National Register.
- May be individually eligible; but to offer a more definite opinion, we would need to see other photographic views of the house illustrating its integrity; available historical information about the house also would be helpful.
- 61152 Probably not individually eligible.
- 61154 Probably not individually eligible.
- Colston Memorial Park Probably not individually eligible. However, as the Phase II report notes, Indiana Code § 23-14-44-1 requires cemetery owner permission before laying out a road within 100 feet of certain features of a cemetery. Furthermore, Indiana Code § 14-21-1-26.5 requires approval of a development plan by the Department of Natural Resources before disturbing the ground with 100 feet of a recorded burial ground or cemetery. We recommend that CTS's legal advisor investigate the applicability of these laws to this project.
- Probably is indivdually eligible.
- Probably not individually eligible (Note: There is no 55027, as it is called in the Phase II report text; Photo #8 is correctly captioned 650027.)
- 65029 Probably is individually eligible.
- 65030 Probably is individually eligible.
- Reportedly demolished; consequently, not eligible.

55022	Probably is individually eligible.
61160	Reportedly demolished; consequently, not eligible.
61161	Reportedly demolished; consequently, not eligible.
61162	Reportedly demolished; consequently, not eligible.
61163	Reportedly demolished; consequently, not eligible.
61164	Reportedly demolished; consequently, not eligible.

If you have questions about our comments, please call John Carr of our office at (317) 232-1646.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:JLC:jlc



Indiana Department of Natural Resources

Frank O'Bannon, Governor Larry D. Macklin, Director

Division of Historic Preservation and Archaeology 402 W. Washington Street, W274 Indianapolie, IN 45204-2739 PH: 317/232-1646 FAX: 317/232-0693 dhps@dnr.8tate in.us

August 30, 2001

Camille Fife
The Westerly Group
Historic Preservation Consultants
556 W. 1175 N. Road
Farmersburg, Indiana 47850

Federal Agency: Federal Highway Administration

Re: Your submission, received July 27, 2001, "RE: <u>Additional information and photographs of selected resources</u>; Louisville-Southern Indiana Ohio River Bridges Project, Clark County, Indiana

Dear Ms. Fife:

As you requested earlier this month, we have put into writing the comments that John Carr of my staff provided informally to you on July 31, 2001, based on his and Frank Hurdis's analyses of your July 27, 2001, submission.

Resource # 45026A. Central Passage house and small farm, 3012 Utica-Sellersburg Road, Utica vicinity: We agree that this property is not individually eligible for the National Register of Historic Places ("National Register").

Archaeologists' numbered resources 12-Cl-551 & 12-Cl-561, one groundhog kiln and two 30-foot stone kilns. Utica vicinity: From the information provided, it appears as though these properties have local significance to the Utica community, although we do not know much about the lime-making industry. We are leaning toward agreeing that these kilns are National Register eligible.

Resource #55005B. John Dellinger Farm. Utica vicinity: We agree that the portion of the farm that you have identified is individually eligible for the National Register under Criterion A, for farming.

Resource #65021. Colgate School, Clarksville: We cannot agree that this school is individually eligible for the National Register. It has exterior integrity problems, especially the replaced and shortened windows. At the time you and Mr. Carr spoke on July 31, we did not know to what extent the interior had been altered. However, on August 8, 2001, Mr. Carr visited parts of the first and second stories of the school. At least some of the classrooms have been divided into smaller office spaces. Some kind of ribbing or simulated joists in a dark-stained wood have been added to the ceiling in places, such as underneath stairways. Some of the interior doors have been replaced with glass, office-style doors. The multiple property listing document prepared by our office for public

Camille Fife August 30, 2001 Page 2

schools lists window openings on the exterior and interior features such as chalk boards, classroom volumes, and hallways as features that should read as such in an eligible school building. We are leaning against saying that this school is individually eligible.

Resource #61153, Walter Prentice House, 340 West Maple Street, Jeffersonville: The historical significance of 340 West Maple is not especially strong, and we cannot say that it is outstanding architecturally. Moreover, its integrity has been compromised by a very poor job of mortar replacement, by the addition of an exterior stair, and by the string of unsympathetic additions to the rear. We do not believe this house or its additions are individually eligible for the National Register. Furthermore, the other Prentice House, #61152, at 338 Ohio Avenue does not appear to have sufficient architectural significance—or known historical significance—to be individually eligible for the National Register.

Resource #61007, passenger depot, 1030 Spring Street, Jeffersonville: We believe that this depot likely is individually eligible for the National Register. It appears to have wonderful exterior integrity, but we do not know what kind of interior alterations might have been made during its time as a used car dealership. However, with depots being a limited resource type, we are leaning toward saying that this depot is eligible.

Resource #61048. City School. Wall Street, between 8th and 9th, Jeffersonville: We agree that this school probably is individually eligible for the National Register. It would have been helpful to know whether it still has interior integrity (especially within the 1891 building), but we would venture to say that, since the school has long been vacant, it probably does still have its original interior plan. We are leaning toward saying the City School is individually eligible.

Resource #65005, 1206 Spring Street, Jeffersonville: We believe the correct survey number is #61005. We agree that this former residence is not individually eligible for the National Register.

Resource #65005 (sic), 105 Sparks Avenue, Jeffersonville: We believe the correct survey number is #61006. We agree that this house is not individually eligible for the National Register.

Resource #65005A, 101 Sparks Avenue. Jeffersonville: We believe that the correct, attributed survey number, under the system you are using, should be #61006A. We agree that this house is not individually eligible for the National Register.

Concerning the potential for a rural historic district in the area of Utica Township that includes Resource #45026, the Swartz Farm; Resource #45027, the Swartz-Voight-Marble Farm; and Resource #45026A, the Central Passage house: We do not believe that a National Register eligible historic district exists in that location. We agree that it would be too great a stretch of logic to try to include Resources #45029, #45030, and #45031 in such a rural district, given the amount of residential, commercial, and industrial development that has occurred in the area within the last few

Camille Fife August 30, 2001 Page 3

decades. Although three properties is not necessarily too small a number to constitute a district, there ought to be a greater variety of properties (e.g., church, cemetery, school, or commercial building) in order to make a case for National Register eligibility under the theme of early settlement.

Furthermore, we have serious doubts about the integrity of a district that would consist of Resources #45026, #45027, and #45026A, even if a strong enough case could be made for the National Register significance of such a district. Resource # 45026, the Swartz (or Schwartz) Farm, appears to include a wonderful farmhouse with several contributing outbuildings, but it also appears that the west side of the farm may have been altered or severed from what once had been the farm by the construction of Port Road and the railroad spur in recent decades. Resource #45027, the Swartz-Voight-Marble House, consists of a ca. 1840 I-house with a ca. 1915 American Foursquare addition on the front, a peculiar combination. Also, in 1994, when it was listed in the Indiana Register of Historic Sites and Structures as the Schwartz-Voigt Farm, the house was accompanied by five contributing outbuildings, but since then at least two of those outbuildings have been removed. The large pond that now lies west of the house does not appear on the 1993 U.S.G.S. Jeffersonville Quadrangle map, and the southern part of what likely was the farmstead is now part of a commercial and industrial park. To include Resource #45026A, the Central Passage house, one would have to extend the district boundary across the Utica-Sellersburg Road and pick up just the house and only a small amount of land, because no contributing outbuildings remain. The Central Passage house, itself, has undergone various exterior alterations, including the replacement of original, or at least older wood siding, with wider siding boards.

Although you did not request our opinion on the <u>individual eligibility of the Swartz-Voight-Marble Farm</u> for the National Register, the eligibility question was raised during the July 16, 2001, bus tour of Utica Township. The farm has remained listed in the Indiana Register of Historic Sites and Structures despite the reported loss of two outbuildings. It should be noted that the Indiana Register eligibility criteria, while reading similarly to those of the National Register, have sometimes been applied more liberally, regarding both significance and integrity, than has been the case in Indiana with properties nominated to the National Register. Moreover, in 1993, in response to a Federal rehabilitation tax credit Part 1 (evaluation of significance) application, the National Park Service made the preliminary determination that the farm "does not appear to meet the National Register Criteria for Evaluation and will likely not be listed in the National Register." In light of the foregoing, we cannot say that the Swartz-Voight-Marble (or Schwartz-Voight) Farm is individually eligible for the National Register.

Finally, the question also was raised during the July 16 bus tour about the possibility of the existence of a National Register-eligible historic district extending from the Colgate-Palmolive plant southward along Woerner Avenue in Clarksville. It was suggested that the residences along the west side of Woerner might be workers' cottages built for the plant. For geographic reference, the area in question presumably would include properties 019-446-65027 and possibly 019-446-65030 in the 1988 Clark County Interim Report. We are skeptical that a case could be made for the eligibility of

Camille Fife August 30, 2001 Page 4

a workers' cottage district or for the extension of the eligible Colgate-Palmolive Historic District into the residential area in question. The residences along Woemer appear to date mostly from the latter half of the 19th century and possibly from very early in the 20th century. On page 93 of the Clark County Interim Report, we are told, however, that the Colgate-Palmolive Company did not acquire the current plant site until about the end of World War I. From 1865 to that time, what later became the Colgate-Palmolive plant had served as the Indiana State Prison South. Those observations cast doubt on the possibility that Colgate-Palmolive either built the residences for its workers or that its workers voluntarily built their homes along Woerner. Our impression is that, in those instances where the State of Indiana has constructed housing for workers at state institutions, such housing has tended to be incorporated into a campus setting. Such appears not to be the case here. One other possibility that occurs to us is that workers' housing might have been constructed along Woemer Avenue in connection with the nearby, former Ohio Falls Car and Locomotive Company plant, a National Register-eligible historic district. However, even if that were the case, the modern, metalsided industrial building that extends for at least two city blocks along the east side of Woerner Avenue tends to separate what was, or what is left of, such worker housing from the historic industrial buildings of the Ohio Falls plant. Furthermore, the residences along the west side of Woerner have, themselves, been altered in a variety of ways, including the liberal use of aluminum and vinyl siding, which tend to diminish the residences' integrity. For all of these reasons, we believe that it would be difficult, at best, to make a case for the National Register eligibility of the houses along the west side of Woemer Avenue.

You may direct any questions about our comments to John Carr of my staff at (317) 232-1646.

Very truly yours,

Larry D. Macklin

State Historic Preservation Officer

LDM:JLC:jlc

cc: Jeffrey Vlach, Community Transportation Solutions, c/o Beam, Longest & Neff



Indiana Department of Environmental Management

We make Indiana a cleaner, healthier place to live

':O'Bannon .mor

John McKamilton Lori F. Kaplan

May 13, 1999

100 North Senate Avenue P.O. Box 6015 Indianapolis, Indiana 46206-6015 (317) 232-8603 (800) 451-6027 www.ai.org/idem

Mr. Jeffrey A. Vlach Community Transportation Solutions Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

> Re: Louisville-Southern Indiana Ohio River Bridges EIS

Terrestrial and Aquatic Baseline Studies

Dear Mr. Vlach:

This is a response to your letter, dated May 3, 1999, describing the scope of work to be completed for the Terrestrial and Aquatic Baseline Studies for the above-referenced project. The Indiana Department of Environmental Management (IDEM) agrees with the described study parameters. However, additional field investigations that were not mentioned will be necessary for project review. These parameters are outlined below.

- 1. Water quality investigations should include biological parameters, such as existing aquatic life, in-stream habitat, special aquatic sites, and riparian corridor. Assessment tools such as the Qualitative Habitat Evaluation and Indices of Biotic Integrity should be used. This is only necessary for water bodies that the project will impact.
- 2. The areas of potential impact in the Ohio River should be subject to the same investigations. Also mussel surveys of potential impact areas in the river should be conducted, if they have not previously been completed.
- 3. If Ohio River dredging will be necessary for bridge construction, sediment testing will be required to insure proper disposal location. This is not necessary as part of a baseline study, but may facilitate the project in the future.

Please contact Ms. Megan Fisher, project manager, at 317/233-0467, with any questions. IDEM looks forward to being involved with the construction of the Louisville-Southern Indiana Ohio River Bridges and will appreciate being updated as the project progresses.

Sincerely,

Matthew C. Rueff

Assistant Commissioner

Office of Water Management

Indiana University



January 26, 1999

INDIANA GEOLOGICAL SURVEY Mr. Steve D. Cecil, Chief Division of Preliminary Engineering and Environment 100 N. Senæte Ave., Rm 848 Indianapolis, IN 46204

Dear Mr. Cecil:

In regard to the Louisville-Southern Indiana Ohio River Bridges Project and the potential first step of constructing a new bridge on the east side of Louisville, there are no unusual or problem geologic features on the Indiana part in the approximate area of construction.

A proposed route between the termini of I-265 in Kentucky and in Indiana was not included on Figure 1-1, the only figure provided of the project area. Depending on the position of the bridge and highway, some of the route may be underlain by bedrock with only a thin veneer of unconslidated material and the remainder by lacustrine and alluvial deposits, or it may be essentially entirely on unconsolidated glacially related materials.

Both abandoned sand and gravel pits and rock quarries are present near the proposed route, and there is some slight possibility of further commercialization of these products.

Yours truly,

Carl B. Rexroad

End Elexan

Geologist, Environmental Geology Section

.11 North Walnut Grove Bloomington, Indiana 47405-2208

Fax: 812-855-2862

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Questionnaire for the Indiana Department of Transportation, Aeronautics Section

Project No.:	Des. No:						
Project Description: Louisville-Southern Indiana Ohio River Bridges (EIS and Preliminary Design)							
Requested by:							
INDOT Steve Cecil							
Are there any existing or proposed airports w	ithin or near the project limits? YES						
If yes, describe any potential conflicts with air this project.	r traffic during or after the construction of						
It is my understanding that two bridges will be built, one next to the present I-65 bridge and the other will be near the town of Utica. The bridge adjacent to the present I-65 bridge is close to the Holiday Inn Lakeview Heliport. There will need to be an FAA form 7460-1, Notice of Proposed Construction or Alteration, submitted for this structure. The airspace study that this form initiates will determine if any lighting or other marking will be required. As near as I can determine the structure near Utica is over 5 miles from any public use airport in Indiana or Kentucky. However, any structure the size of this bridge should have an airspace done anyway. Also, Federal Air Regulation Part 77 requires that any structure over 200 feet high must have an FAA form 7460-1 submitted. Since both of these structures straddle the border of Indiana and Kentucky the 7460-1 should be sent to both of these FAA offices:							
Federal Aviation Administration Great Lakes Region	Federal Aviation Administration Southern Region						
Air Traffic Division, AGL-530	Air Traffic Division ASO-530						
2300 East Devon Avenue	P. O. Box 20636						
Des Plaines, IL 60018	Atlanta, GA 30320						
(847)294-7458	(404)763-7646						
This information was furnished by:							
Name: 1/ms E Mfan- Title: Airport Engineer Date: 1-15.99							
Date: /-/5.99							

RE: Project No.STP-226-3 ()

Des. No.: 9703400

Road: US 20

Description: Intersection Improve. at 421, LaPorte Co.

QUESTIONNAIRE FOR THE DIVISION OF AERONAUTICS

Are there any existing or proposed airports located within or near the project limits? () yes (X) no

If so, describe any during or after constructi	potential on of this	. conflicts project:	with air	traffic
Michigan City Municip	onl Misp.	it, shown	south o	of this
project on the fund,				
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This information was furni	shed by:		,	
Name: Name & Nhow	Т	itle: A.	port ting.	
Date: /-/7.19				

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COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KY 40602 (502) 564-3940

December 21, 1998

Mr. John Clements Community Transportation Solutions, Inc. Suite 110, 10000 Shelbyville Road Louisville, KY 40223

Dear Mr. Clements:

On December 7, Secretary Codell forwarded to my office a request that the Commission review the proposed new crossings of the Ohio River between Clark County, Indiana and Jefferson County, Kentucky, and offer comments on any concerns we might have.

After reviewing potential issues, it is our belief that the Commission would not be involved in the Environmental Impact Statement preparation. Our concerns would involve the actual construction of the facilities and any impact upon the utility service in the area. Any relocation of utility facilities must be done in an efficient, safe, and cost effective manner. It should also be done so as to cause the least disruption of utility service to consumers.

If we can be of any further assistance, please don't hesitate to contact the Commission at any time.

Sincerely,

B. J. Helton, Ph.D.

B. J. Helton

Chairman

BJH:CGR:jep

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COMMONWEALTH OF KENTUCKY

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR NATURAL RESOURCES

DIVISION OF CONSERVATION 663 TETON TRAIL FRANKFORT, KENTUCKY 40601

December 23, 1998

Mr. John Clements Community Transportation Solutions, Inc. 1000 Shelbyville Road, Suite 110 Louisville, Kentucky 40223

Dear Mr. Clements:

This letter is in regards to the proposed project by the Indiana Department of Transportation and the Kentucky Transportation Cabinet to place two new crossings over the Ohio River between Clark County, Indiana and Jefferson County, Kentucky.

This agency has been requested by James C. Codell, III, Kentucky's Secretary of Transportation, to provide comments or concerns which can be helpful to you in preparation of an Environmental Impact Statement (EIS) associated with this project.

Our primary concerns are loss of farmland, prime, unique, or locally important and impacts to water quality caused by construction activities.

Loss of farmland is always an important issue. We would hope that of the two possible routes mentioned in the Ohio River Major Investment Study, all planning and design would be done to minimize the loss of farmland. The document, Soil Survey of Jefferson County Kentucky, USDA 1996, could be useful in identifying prime, unique or locally important farmland in those areas.

We would also like to mention that presently, there are no established Agricultural Districts or Purchase of Agriculture Conservation Easement (PACE) agreements in the project area. These two state programs are designed to protect Kentucky's farmland from conversion into non-farmland uses.

Our other concern is protection of streams, wetlands, and groundwater if and when this project does become a reality. Impacts from construction activities such as erosion and sedimentation can significantly affect water quality in the Ohio River, Harrods Creek, Goose and Little Goose Creeks, or any of the several, unnamed, intermittent streams. We would like to stress the need to follow federal and state guidelines for protecting these important surface and subsurface waters not only during the construction phase but also after construction is complete.

Mr. John Clements December 23, 1998 Page Two

A manual, Best Management Practices for Construction Activities, might be a useful reference in citing state guidelines for protecting surface and subsurface waters in the EIS preparation. This manual, along with the Jefferson County Soil Survey, is available through the Jefferson County Conservation District or this office.

I hope these comments and concerns provided will aid you in preparation of the EIS and if you desire additional information, please contact this office anytime.

Sincerely,

Stephen A. Coleman, Director Division of Conservation

Stephen A Odeman

c Commissioner Hugh N. Archer

SAC/MD/mg



COMMONWEALTH OF KENTUCKY

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR NATURAL RESOURCES

DIVISION OF CONSERVATION 663 TETON TRAIL FRANKFORT, KENTUCKY 40501

February 25, 2000

Mr. Joffery D. Vlach Community Transportation Solution Inc. Ten Thousand Building, Suite 110, Shelbyville Road Louisville, Kentucky 40223

RE: Louisville - Southern Indiana - Ohio River Bridges

Dear Mr. Vlach:

This letter concerns the above project and correspondence from Kurt Mason, District Conservationist with the Natural Resources Conservation Service in Jefferson County Kentucky. In his letter, it was stated that the Division of Conservation indicated that no established agricultural districts were in the proposed area, however, the Jefferson County Conservation District records indicated that a portion of Agricultural District #056-03 was within the proposed A-13 project route and to their knowledge had not been removed from said district.

Due to an error on my part, I overlooked the location of this agricultural district when first contacted by John Clements for comments or concerns to be used in preparation of the EIS.

Therefore, I am enclosing a map that shows the location of Agricultural District #056-03 and the portion that could be impacted by this project. Under KRS 262.850(12) state government agencies must mitigate its' program impacts on land in agricultural districts.

I am very sorry for any inconvenience my error may have caused and hope this information clears up any confusion as to the existence and location of this agricultural district.

If you have any questions or need further assistance please contact me anytime.

Sincerely.

Mark Dais

Mark Davis

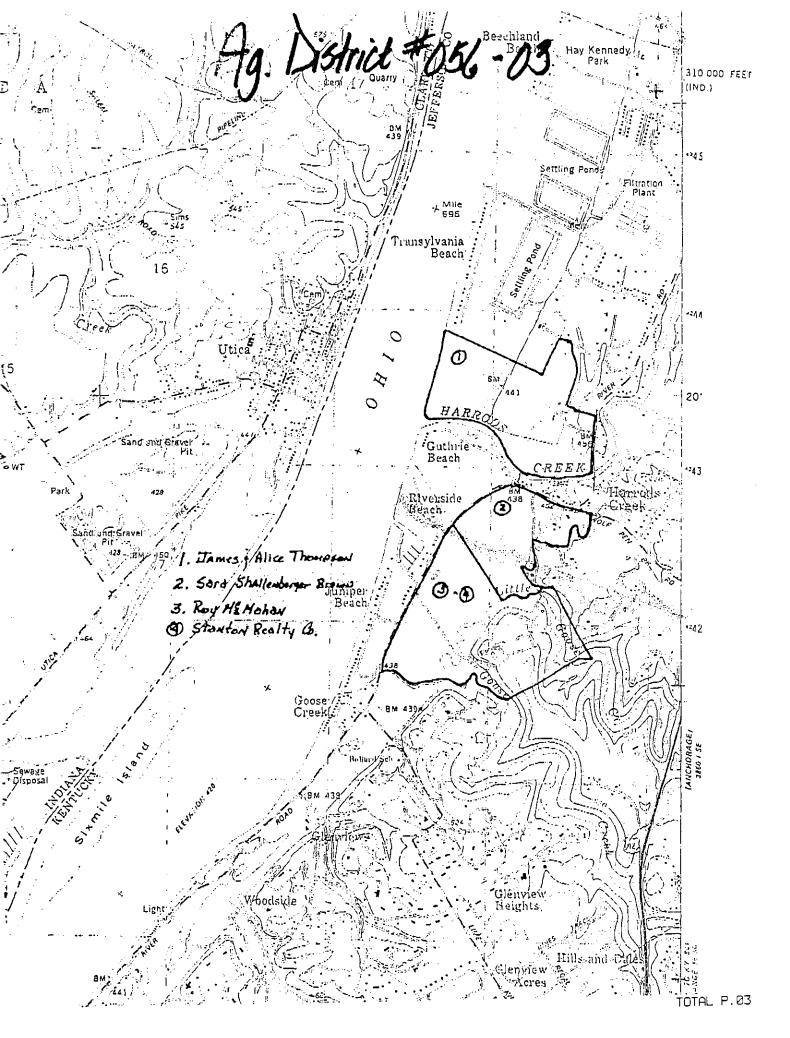
Environmental Control Supervisor

MD/mg

Enclosure

C: (w/o enclosure)
Kurt Mason, NRCS, Louisville







COMMONWEALTH OF KENTUCKY

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

FRANKFORT OFFICE PARK 14 REILLY RD FRANKFORT KY 40601

January 13, 1999

Mr. John Clements Community Transportation Solutions, Inc. Suite 110, 10000 Shelbyville Road Louisville, KY 40223

Dear Mr. Clements:

Enclosed please find comments from the Division of Waste Management regarding environmental issues that may be pertinent to the proposed bridge project. If you require further information as the project proceeds please feel free to contact me at 502-564-6716.

Sincerely,

Robert H. Daniell, Director Division of Waste Management

RHD/JWP/kab

c: James C. Codell, III Secretary, Transportation Cabinet



Superfund Branch Comments Proposed Bridge Locations Clark County, IN & Jefferson County, KY

There are several State Superfund sites within the large area that is currently being considered for the new bridge locations. The primary area of concern would be all along River Road as this is the location of Louisville's Waterfront Development. Several former industrial properties in this area are currently being cleaned up including a scrap yard, bulk plants, manufacturing plants, and other locations with known environmental contamination. Cleanup of a portion of this area has already been completed with additional work to be going on over the next year or so. DOT should be aware of these areas in the planning and design of the bridge crossings. Any disturbance or construction on these sites could affect the environmental controls that have been put in place to manage the sites. Also, contaminated soils could be encountered which could result in health and safety problems as workers could be exposed to contaminants during construction.

Once the locations for the new bridge crossings are agreed upon, it is recommended that environmental site assessments be conducted on any properties that were former industrial sites or where there is potential environmental problems. The Superfund Branch will be glad to provide additional information on the sites that we have been involved with in this area. Extensive files are available for the Superfund sites which contains sampling data, maps, and historical information.

Hazardous Waste Branch Comments Proposed Bridge Locations Clark County, IN and Jefferson County, KY

There are several active and closed hazardous waste facilities located throughout the project area. However, it is highly unlikely that any of the active facilities will be directly impacted by the construction. Any regulated hazardous waste facility that is encountered in the corridors will be subject to Kentucky Administrative Regulations chapter 30 through 43. Please contact the Hazardous Waste Branch for information on the hazardous waste facilities located in the project area.

An issue that DOT may encounter often is the proper management of contaminated soil and sediment whenever hazardous constituents are present above levels of human health or environmental concern. Any contaminated soil containing a listed hazardous waste is subject to hazardous waste regulations. Contaminated soil containing high levels of hazardous constituents should be tested to determine if the media exhibits any hazardous characteristics. If the soil does exhibit a hazardous characteristic, it is subject to hazardous waste regulations. A medium that does not contain a listed hazardous waste or does not exhibit a characteristic, but is by definition contaminated, is subject to best management practices in accordance with Kentucky Administrative Regulations.

Underground Storage Tank Branch Comments Proposed Bridge Locations Clark County, IN and Jefferson County, KY

There are many active and inactive Underground Storage Tank (UST) facilities located throughout the area indicated in the proposal. Any regulated UST facility that is encountered during this type of project would be required to be properly addressed in accordance with 401 KAR Chapter 42.

The Kentucky UST Branch will be able to supply reports indicating the locations of all known UST facilities, if necessary. Please contact Colleen Thomas at (502)564-6716 to request any reports needed. Please contact the Indiana Department of Environmental Management at (317)308-3060 for any information on the UST facilities located in Indiana.

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COMMONWEALTH OF KENTUCKY

KENTUCKY STATE NATURE PRESERVES COMMISSION

801 SCHENKEL LANE FRANKFORT, KENTUCKY 40601-1403 (502) 573-2886 VOICE (502) 573-2355 FAX

February 4, 1999

Peggy Measel HMB, Inc. 3 HMB Circle Frankfort, KY 40601

Data Request 99-118

Dear Ms. Measel:

This letter is in response to your data request of 27 January 1999 for the Ohio River Bridges project. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Kentucky State Nature Preserves Commission occur from the Louisville East, Louisville West, New Albany, Anchorage, and Jeffersonville USGS 7.5 minute series topographic quadrangles. Based on our most current information, we have determined that 97 occurrences of the plants or animals and one occurrence of the exemplary natural communities that are monitored by KSNPC are reported as occurring in the specified area. A data report is attached to this response.

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed, and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.



Data Request 99-118 February 4, 1999 Page 2

If you have any questions or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Amy Covert

Acting Data Manager

BDF/ALC

Enclosures: Data Interpretation Key and Data Reports

Endangered, Threatened, and Special Concern Plants and Animals of Kentucky

Plants and Animals Presumed Extinct or Extirpated from Kentucky

Monitored Natural Communities of Kentucky

County Report of Endangered, Threatened, and Special Concern Plants, Animals,

and Natural Communities of Kentucky

Rof McCance, Jr.



COMMONWEALTH OF KENTUCKY

KENTUCKY STATE NATURE PRESERVES COMMISSION

801 SCHENKEL LANE FRANKFORT, KENTUCKY 40601-1403 (502) 573-2886 VOICE (502) 573-2355 FAX

June 6, 1996

Mr. Willaim R. Hartman Wallace Roberts & Todd 260 South Broad St. Philadelphia, PA 19102-5075

Data Request 96-109

Dear Mr. Hartman:

This letter serves to supplement our response of May 10, 1996 for the ORMIS project in Jefferson County, Kentucky. In addition to the rare species information that we provided, a note concerning the presence of Six-Mile Island State Nature Preserve should have been included. This dedicated state nature preserve lies along the Indiana shore between Ohio River Mile 597 and 599 (see enclosed map). Also enclosed for your use is a copy of the statute dealing with the dedication of state nature preserves, and a copy of the lease agreement with Jefferson County for Six-Mile Island State Nature Preserve.

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed, and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

(over)

Data Request 96-109 June 6, 1996 Page 2

If you have any questions concerning Six-Mile Island State Nature Preserve or the materials enclosed herein, please feel free to contact Ms. Joyce Bender of my staff for assistance.

Sincerely,

Robert M. McCance, Jr.

Director

Enclosures: Map of Six-Mile Island State Nature Preserve

Lease Agreement for Six-Mile Island State Nature Preserve

Kentucky statutes regarding dedication of state nature preserves



COMMONWEALTH OF KENTUCKY

KENTUCKY STATE NATURE PRESERVES COMMISSION

801 SCHENKEL LANE
FRANKFORT, KENTUCKY 40601-1403
(502) 573-2886 VOICE
(502) 573-2355 FAX

May 10, 1996

Mr. Willaim R. Hartman Wallace Roberts & Todd 260 South Broad St. Philadelphia, PA 19102-5075

Data Request 96-109

Dear Mr. Hartman:

This letter is in response to your data request of April 26, 1996 for the ORMIS project. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Kentucky State Nature Preserves Commission occur on the Louisville East, Louisville West, Jeffersontown, Jeffersonville, New Albany, and Anchorage, KY quadrangles. Based on our most current information, we have determined that one hundred occurrences of the plants or animals and one occurrence of the exemplary natural communities that are monitored by KSNPC are reported as occurring in the specified area. A data report is attached to this response.

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed, and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

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Standard Map Report Monitored Elements

Reported from the Louisville E., Louisville W., New Albany, Jeffersonville, and Anchorage Quadrangles

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ANCHORAGE, KY.	ABNKC12020*001*KY	ACCIPITER STRIATUS	SHARP-SHINNED HAWK	12
ANCHORAGE, KY.	ABNSA01010*023*KY	TYTO ALBA	BARN OWL	2
ANCHORAGE, KY.	ABPBG07010*050*KY	THRYOMANES BEWICKII	BEWICK'S WREN	1
ANCHORAGE, KY.	ABPBG10010*018*KY	CISTOTHORUS PLATENSIS	SEDGE WREN	13
ANCHORAGE, KY.	ABPBX91050"001"KY	AIMOPHILA AESTIVALIS	BACHMAN'S SPARROW	8
ANCHORAGE, KY.	ABPBX99010*001*KY	PASSERCULUS SANDWICHENSIS	SAVANNAH SPARROW	10
ANCHORAGE, KY.	ABPBXA0030*001*KY	AMMODRAMUS HENSLOWII	HENSLOW'S SPARROW	4
ANCHORAGE, KY.	AFCLC01010*011*KY	PERCOPSIS OMISCOMAYCUS	TROUT-PERCH	9
ANCHORAGE, KY.	CTFOR00120*003*KY	CALCAREOUS MESOPHYTIC FOREST		15
ANCHORAGE, KY.	ICMAL11040*008*KY	ORCONECTES JEFFERSONI	LOUISVILLE CRAYFISH	6
ANCHORAGE, KY.	IILEPE9012*002*KY	FIXSENIA FAVONIUS ONTARIO	NORTHERN HAIRSTREAK	3
ANCHORAGE, KY.	PMLIL1F030*005*KY	MELANTHIUM WOODII	WOOD BUNCHFLOWER	11
JEFFERSONVILLE, INDKY.	ABNCA02010*002*KY	PODILYMBUS PODICEPS	PIED-BILLED GREBE	8
JEFFERSONVILLE, INDKY.	ABNGA02010*002*KY	IXOBRYCHUS EXILIS	LEAST BITTERN	5
JEFFERSONVILLE, INDKY.	ABNGA11010*001*KY	NYCTICORAX NYCTICORAX	BLACK-CROWNED NIGHT-HERON	12
JEFFERSONVILLE, INDKY.	ABNGA13010*001*KY	NYCTANASSA VIOLACEA	YELLOW-CROWNED NIGHT-HERON	7
JEFFERSONVILLE, INDKY.	ABNJB10130*001*KY	ANAS DISCORS	BLUE-WINGED TEAL	16
JEFFERSONVILLE, INDKY.	ABNJB20010*001*KY	LOPHODYTES CUCULLATUS	HOODED MERGANSER	6
JEFFERSONVILLE, INDKY.	ABNKD06070*001*KY	FALCO PEREGRINUS	PEREGRINE FALCON	15
JEFFERSONVILLE, INDKY.	ABNME05020*001*KY	RALLUS ELEGANS	KING RAIL	9
JEFFERSONVILLE, INDKY.	ABPAU08010*002*KY	RIPARIA RIPARIA	BANK SWALLOW	13
ERSONVILLE, INDKY.	ABPBX91050*007*KY	AIMOPHILA AESTIVALIS	BACHMAN'S SPARROW	20
_ FERSONVILLE, INDKY.	AFCJC07030"006"KY	ICTIOBUS NIGER	BLACK BUFFALO	14
JEFFERSONVILLE, INDKY.	AMACC01040*072*KY	MYOTIS GRISESCENS	GRAY MYOTIS	11
JEFFERSONVILLE, INDKY.	AMACC01100*099*KY	MYOTIS SODALIS	INDIANA MYOTIS	10
JEFFERSONVILLE, INDKY.	ICMAL11040*006*KY	ORCONECTES JEFFERSONI	LOUISVILLE CRAYFISH	4
JEFFERSONVILLE, INDKY.	IMBIV37030*011*KY	POTAMILUS CAPAX	FAT POCKETBOOK	3
JEFFERSONVILLE, INDKY.	IMBIV47070*064*KY	VILLOSA LIENOSA	LITTLE SPECTACLECASE	2
JEFFERSONVILLE, INDKY.	IMGASK6100*002*KY	LITHASIA VERRUCOSA	VARICOSE ROCKSNAIL	1
JEFFERSONVILLE, INDKY.	PMHYD0A010*001*KY	VALLISNERIA AMERICANA	EEL-GRASS	17
JEFFERSONVILLE, INDKY.	PMHYD0A010*003*KY	VALLISNERIA AMERICANA	EEL-GRASS	19
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Standard Map Report Monitored Elements

Reported from the Louisville E., Louisville W., New Albany, Jeffersonville, and Anchorage Quadrangles

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LOUISVILLE EAST, KY.	ICMAL11040*018*KY	TRIODOPSIS MULTILINEATA	STRIPED WHITELIP	25
LOUISVILLE EAST, KY.	IMGASA1250°003°KY	CABOMBA CAROLINIANA	CAROLINA FANWORT	15
LOUISVILLE EAST, KY.	PDCAB02010*001*KY	TRIFOLIUM STOLONIFERUM	RUNNING BUFFALO CLOVER	19
LOUISVILLE EAST, KY.	PDFAB40250*014*KY	CASTANEA PUMILA	ALLEGHENY CHINKAPIN	11
LOUISVILLE EAST, KY.	PDFAG01040*002*KY	MELANTHIUM WOODII	WOOD BUNCHFLOWER	14
LOUISVILLE EAST, KY.	PMLIL1F030*001*KY	ARISTIDA RAMOSISSIMA	BRANCHED THREE-AWN GRASS	26
LOUISVILLE EAST, KY.	PMPOA0K0X0*001*KY	PONTEDERIA CORDATA	PICKEREL WEED	13
LOUISVILLE EAST, KY.	PMPON05010*003*KY	CLONOPHIS KIRTLANDII	KIRTLAND'S SNAKE	3
LOUISVILLE WEST, KYIND.	ARADB06010*002*KY	CLONOPHIS KIRTLANDII	KIRTLAND'S SNAKE	1
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LOUISVILLE WEST, KYIND.	ARADB06010*022*KY	CLONOPHIS KIRTLANDII	LITTLE BLUE HERON	18
NEW ALBANY, INDKY.	ABNGA06040*002*KY	EGRETTA CAERULEA	CATTLE EGRET	17
NEW ALBANY, INDKY.	ABNGA07010*003*KY	BUBULCUS IBIS	BLACK-CROWNED NIGHT-HERON	14
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NEW ALBANY, INDKY.	ABNME05020*006*KY	RALLUS ELEGANS	KING RAIL	24
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NEW ALBANY, INDKY.	ABNNM08102*001*KY	STERNA ANTILLARUM ATHALASSOS	INTERIOR LEAST TERN	3
NEW ALBANY, INDKY.	AFCAA01020*004*KY	ACIPENSER FULVESCENS	LAKE STURGEON	2
NEW ALBANY, INDKY.	AFCBA01050*003*KY	ATRACTOSTEUS SPATULA	ALLIGATOR GAR	9
NEW ALBANY, INDKY.	AFCFA01020*001*KY	ALOSA ALABAMAE	ALABAMA SHAD	15
NEW ALBANY, INDKY.	AFCMA01010*004*KY	LOTA LOTA	BURBOT	7
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NEW ALBANY, IND. KY.		CYPROGENIA STEGARIA	FANSHELL	35
NEW ALBANY, INDKY.	IMBIV10020*055*KY	EPIOBLASMA TRIQUETRA	SNUFFBOX	30
NEW ALBANY, INDKY.	IMBIV16190*004*KY	FUSCONAIA SUBROTUNDA SUBROTUNDA	LONG-SOLID	32
NEW ALBANY, INDKY.	IMBIV17122*066*KY	LAMPSILIS ABRUPTA	PINK MUCKET	34
NEW ALBANY, INDKY.	IMBIV21110*028*KY	OBOVARIA RETUSA	RING PINK	12
NEW ALBANY, INDKY.	IMBIV31030*028*KY	PLETHOBASUS COOPERIANUS	ORANGE-FOOT PIMPLEBACK	39
NEW ALBANY, INDKY.	IMBIV34020*042*KY	PLETHOBASUS CYPHYUS	SHEEPNOSE	13
NEW ALBANY, INDKY.	IMBIV34030*001*KY	PLEUROBEMA CLAVA	CLUBSHELL	33
NEW ALBANY, INDKY.	IMBIV35060*034*KY	PLEUROBENIA GLAVA		

Standard Map Report Monitored Elements

Reported from the Louisville E., Louisville W., New Albany, Jeffersonville, and Anchorage Quadrangles

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ALBANY, IND. KY.	IMBIV35250*041*KY	PLEUROBEMA PYRAMIDATUM	PYRAMID PIGTOE	31
NEW ALBANY, INDKY.	IMBIV39041*039*KY	QUADRULA CYLINDRICA CYLINDRICA	RABBITSFOOT	37
NEW ALBANY, INDKY.	IMBIV41010*025*KY	SIMPSONAIAS AMBIGUA	SALAMANDER MUSSEL	11
NEW ALBANY, INDKY.	IMGASK5100*001*KY	LEPTOXIS PRAEROSA	ONYX ROCKSNAIL	6
NEW ALBANY, INDKY.	PDAST8P1T0*010*KY	SOLIDAGO SHORTII	SHORT'S GOLDENROD	5
NEW ALBANY, INDKY.	PDPOD01010*050*KY	PODOSTEMUM CERATOPHYLLUM	THREADFOOT	27
NEW ALBANY, INDKY.	PMALI040A0*002*KY	SAGITTARIA GRAMINEA	GRASSLEAF ARROWHEAD	20
NEW ALBANY, INDKY.	PMHYD0A010*004*KY	VALLISNERIA AMERICANA	EEL-GRASS	19
NEW ALBANY, INDKY.	PMPON03010*004*KY	HETERANTHERA DUBIA	GRASSLEAF MUD-PLANTAIN	21



KENTUCKY HERITAGE COUNCIL

Paul E. Patton Governor Marlene M. Helm Cabinet Secretary

The State Historic Preservation Office November 5, 1999

David L. Morgan Executive Director and SHPO

John L. Mettille, Director Division of Environmental Analysis Transportation Cabinet 125 Holmes Street Frankfort, Kentucky 40622

Re

On Site Examination of Historic Sites
In the Vicinity of the Eastern Avoidance Alternatives
Ohio River Bridges, Louisville
Jefferson County, Kentucky
Item Nos. 5-118

Dear Mr. Mettille:

Thank you for your letter regarding the above referenced site visit that was conducted on August 8th, 1999. The Area of Potential Effect for the Eastern Alternatives of the Indiana/Kentucky Ohio River Bridges Project was examined for sites that could potentially meet the National Register Criteria. The following sites in the A.P.E. are already listed in the National Register: Rosewell (Jf-452), Belleview (Jf-453), Merriweather House (Jf-690), Drumanard (Jf-564), and the Allison-Barrickman House (Jf-564). This should not be interpreted as a final determination of eligibility as the development of the historic context for these sites has not been completed. Several sites were inaccesible and visual assessments were precluded.

Of the remaining properties which were viewed the following appeared to meet the National Register of Historic Places Criteria: Fincastle, the John Determan House (Jf-843), and 6306 Transylvania Beach(Jf-841). Regarding Crowfoot, the property at Wolf Pen Branch Road and Spring Farm and the Bruce House, located just off Wolf Pen Branch we need more information and context development before we can make any determinations of eligibility.

We look forward to reviewing the final Cultural-Historic Resources Report on this project, and if you have any questions, please feel free to contact Jayne H. Fiegel of my staff at 502-564-7005.

Sincerely,

David L. Morgan, Director Kentucky Heritage Council and

State Historic Preservation Officer

cc: Helen Powell



FAX (502) 564-5820

Telephone (502) 564-7005



KENTUCKY HERITAGE COUNCIL

Paul E. Patton
The State Historic Preservation Office
Governor
Marlene M. Helm

David L. Morgan Executive Director and SHPO

November 29, 1999

John L. Mettille, Director Division of Environmental Analysis Transportation Cabinet 125 Holmes Street Frankfort, Kentucky 40622

Re:

Site Examination of Historic Sites in the Vicinity of the Eastern Avoidance Alternatives Ohio River Bridges, Louisville, Jefferson County, Kentucky

Item No. 5-118

Dear Mr. Mettille:

Cabinet Secretary

Thank you for your letter regarding the above referenced site visit that was conducted on August 8th, 1999. The Area of Potential Effect for the Eastern Alternatives of the Indiana/Kentucky Ohio River Bridges Project was examined for sites that could potentially meet the National Register Criteria. The following sites in the A.P.E. are already listed in the National Register: Rosewell (Jf-452), Belleview (Jf-453), Merriweather House (Jf-690), Drumanard (Jf-564), and the Allison-Barrickman House (Jf-564).

This should not be interpreted as a final determination of eligibility as the development of the historic context for these sites has not been completed. Several sites were inaccessible and visual assessments were precluded. Of the remaining properties which were viewed the following three appeared to meet the National Register of Historic Places Criteria: Fincastle which is currently being nominated to the National Register of Historic Places, the John Determan House (Jf-843), and 6306 Transylvania Beach(Jf-841). In order to make a determination of eligibility we need more information and context development on the following two properties: Crowfoot (the property at Wolf Pen Branch Road and Spring Farm Road) and the Bruce House, located just off Wolf Pen Branch

The following properties did not appear to meet National Register Criterion A, B, or C: the Warner Taylor log house (Jf-584), the hay barn on Wolf Ridge Road, the Harchfield House (Jf-585), house on a private road north of site Jf-585, the Putney House (Jf-586), the first Baptist Church on US 42, farmstead on west side of River Road north of Mayfair Avenue, ranch house at 6705 Transylvania Avenue, bungalow at 7104 Transylvania Avenue, and the brick house adjacent to Belleview.

We look forward to reviewing the final Cultural-Historic Resources Report on this project, and if you have any questions, please feel free to contact Jayne H. Fiegel of my staff at 502-564-7005.

Sincerely

David L. Morgan, Director Kentucky Heritage Council and

State Historic Preservation Officer

cc: Helen Powell

300 Washington Street
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Paul E. Patton Governor Marlene M. Helm Cabinet Secretary

The State Historic Preservation Office

David L. Morgan
Exacutive Director and
SHPO

December 22, 1999

Jesse A. Story
Division Administrator
Kentucky Division Office
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

Re: List of Potential Consulting Parties for the Louisville Bridges Project

Dear Mr. Story:

I have reviewed the list of individuals that FHWA feels would qualify as "consulting parties" pursuant to 36CFR Part 800.2(c)(4) and 800.3(f)(1) for the Louisville bridges project. Under 36 CFR Part 800.2(c)(f), representatives of local governments are entitled to participate as consulting parties if their communities are within the area of potential effects. Therefore, it seems appropriate for FHWA to notify the local governmental representatives identified in the list. However, there are three elected state officials on the list who would not fall within this category though they might be considered "additional consuting parties" as described in 800.2(c)(6). If these state officials desire consulting party status, they should submit written requests as outlined in 800.3(f)(3).

You should also be certain that the public notification process informs owners of historic properties that may be affected by the project of their right to request consulting party status. Other groups that would have an interest in becoming consulting parties include Riverfields, the Louisville Landmarks Commission, the Jefferson County Office of Historic Preservation, the Louisville Historic League and the Historic Landmarks Foundation of Indiana. Let me know if I can provide any further assistance and as always if you have any questions, please feel free to contact me at (502) 564-7005.

Sincerely,

David L. Morgan, Director

Kentucky Heritage Council, and State Historic Preservation Officer

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KENTUCKY HERITAGE COUNCIL

The State Historic Preservation Office

David L. Morgan Executive Director and SHPO

Paul E. Patton Governor Marlene M. Heim Cabinet Secretary

August 18, 2000

Mr. John L. Mettille, Director Division of Environmental Analysis Transportation Cabinet 125 Holmes Street Frankfort, Kentucky 40622

Re:

Ohio River Bridges Project Louisville-Southern Indiana

Rosewell Plantation/Boundary Expansion Louisville, Jefferson County, Kentucky

Dear Mr. Mettille:

Thank you for your letter regarding the above referenced National Register property. Based upon the documentation that has been provided, it is our opinion that the archaeological site designated as 15jf679 should be considered eligible separately under Criterion D for its data content only. In order to accurately plot a revised boundary which would include all the archaeological features which would be considered contributing to the Rosewell National Register property, more work would have to be conducted in all undisturbed areas of the site. Although Rosewell historically contained ancillary structures which supported the complex, the setting of the house has been radically altered by subdivision of the property and recent residential construction. Therefore, it is our finding that Site 15jf679 is eligible for Criterion D, but does not appear to warrant preservation in place. This finding is based upon the documentation which has been provided at this juncture. If further data is recovered at a later date, we would be happy to reevaluate our position.

If you have any questions regarding these comments, please feel free to contact Jayne H. Fiegel at 502-564-7005, ext. 121.

X / ////

David L. Morgan, Directo

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7. 3

The State Historic Preservation Office

David L. Morgan
Executive Director and
SHPO

February 6, 2001

Mr. John L. Mettille, Director Division of Environmental Analysis Transportation Cabinet 125 Holmes Street Frankfort, Kentucky 40622

Re:

Consulting Party Status Louisville Bridges Project Louisville, Jefferson County, Kentucky

Dear Mr. Mettille:

Thank you for your letter the above referenced consulting parties listing. Since this project has been a sensitive one, we understand the need to correctly identify any and all interested and/or consulting parties. The four groups expressing an interest in becoming consulting parties have a demonstrated interest in this project. We have no objection to the following groups being granted consulting party status: St. Francis in the Fields Episcopal Church, the Historic Home Foundation, the Transylvania Beach Association, and the Coalition of Original People.

If you have any questions regarding these comments, please feel free to contact Jayne H. Fiegel of my staff at 502-564-7005, ext. 121.

Sincerely,

David L. Morgan, Director Kentucky Heritage Council and State Historic Preservation Officer





KENTUCKY HERITAGE COUNCIL

The State Historic Preservation Office

David L. Morgan Executive Director and

Paul E. Patton Governor Marlene M. Helm Cabinet Secretary

February 20, 2001

Mr. John L. Mettille, Director Division of Environmental Analysis Transportation Cabinet 125 Holmes Street Frankfort, Kentucky 40622

Cultural Resource Survey of the Re:

Louisville-Southern Indiana Ohio River Bridges Project by Community Transportation Solutions (H. Powell and Company)

Jefferson County, Kentucky Item No. 5-118.00

Dear Mr. Mettille:

We appreciate the opportunity to comment upon the above referenced project. First, let me say that given the historic nature of the project area and breadth of this study, this has been a difficult project to review.

Nine separate project alignments have been identified for this undertaking. Six of those, B-1, A-2, A-9, A-13, A-15, and A-16 are located at the eastern end of Louisville and involve the extension of the Gene Snyder Freeway. The three other alignments, C-1, C-2, and C-3 are located closer to central Louisville, and involve sections of I-71 and I-264.

The Area of Potential Effect in the eastern project vicinity contains one, large National Register District, Country Estates of River Road Historic District and fifteen sites which are individually listed in the National Register, or considered eligible for listing. The listed individual sites are as follows: Cedarbrook Farm, Fincastle, Rosewell, Belleview, Merriwether House, Allison-Barrickman, Dogwood Hill, The Midlands, and the Croghan-Blankenbaker House. The following sites have been found by the Principal Investigator to meet National Register Criteria and we concur with these findings: Crowfoot, the Bruce House, the Determan House, the Schildknecht House, the Juniper Beach District, and the Goose Creek Bridge.

In addition this office considers Site 31, St. Francis in the Fields Church potentially eligible for the National Register. Site 21, the Nuttall House was previously identified as, "the brick house adjacent to Belleview" in our prelininary determination of eligibility letter dated November 29, 1999. At this time we do not have sufficient information to make a determination of eligibility for this site. We would like to request that further contextual work be completed in order to completely evaluate the Nuttall House.



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page 2 Mr. John Mettille February 20, 2001

Concerning the Determinations of Effect to the Country Estates of River Road Historic District, at this juncture we do not feel that it is prudent to discuss the effects to individual contributing resources. We are limiting our comments to the project effects on the listed Country Estates of River Road Historic District only.

The following Determinations of Effect are for the proposed East End Alignment, which are as follows: A-2, A-9, A-13, A-15, A-16, and B-1. Regarding the Country Estates of River Road Historic District, Alignments Λ-2 and A-16 will have a No Historic Properties Affected finding. The A-9, A-13, A-15, East End Alignments will take property from within the National Register boundary and have an Adverse Effect upon Country Estates of River Road Historic District. The proposed B-1 alignment will have a visual impact upon the Country Estates of River Road Historic District and also will have an Adverse Effect upon it. For Cedarbrook Farm, all the East End Alignments will have a No Historic Properties Affected finding.

The construction of Alignment A-2 will take property from within the National Register boundary and therefore have an Adverse Effect upon Fincastle. The remaining East End Alignments will have No Historic Properties Affected finding for Fincastle. For Crowfoot, Alignment A-2 will a minor taking from within the National Register boundary and have an Adverse Effect. The remaining East End alignments will have No Historic Properties Affected finding on Crowfoot.

Alignments A-2 and A-16 will have a visual impact upon the setting of the Bruce House and therefore have an Adverse Effect upon it. The remaining East End Alignments will have No Historic Properties Affected finding for the Bruce House. For Rosewell, alignments A-13, A-15, and A-16 will all have visual impacts to the setting of the structure and an Adverse Effect finding will result. The finding for A-2, A-9, and B-1 alignments for Rosewell will be No Historic Properties Affected.

Alignments A-13, A-15, and A-16 will all have visual impacts to Site 19, the Determan House and result in Adverse Effect findings. The other alignments A-2, A-9, and B-1 will find No Historic Properties Affected for the Determan House. Site 20, 6306 Transylvania Beach will be visually impacted by alignments A-15 and A-16, and result in an Adverse Effect finding. For alignments A-2, A-9, A-13 and B-1 the finding will be No Historic Properties Affected for Site 20, 6306 Transylvania Beach.

The construction of alignments A-13 and A-15 will result in visual impacts to Belleview and an Adverse Effect determination. The construction of any of the remaining alignments in the east end A-2, A-9, A-16 and B-1 will have a No Historic Properties Affected finding for Belleview. Construction of any of the east end alignments will have no impact to the Merriweather House, and therefore result in an Adverse Effect determination.

page 3 Mr. John Mettille February 20, 2001

Regarding the Allison-Barrickman House and the proposed boundary expansion, we feel that the boundaries should be expanded along the southwest edge slightly to include one of the early entrances to the complex. For determinations of effect to this property, construction of alignment A-9 and A-13, (a and b) will have an Adverse Effect determination. A-9 is a visual impact and A-13, both a and b will be visual and also result in a minor taking from within the boundaries on the east edge.

Alignment A-9 has the potential to have an Adverse Effect, visual impact to **Dogwood** Hill. The remaining eastern alignments will have no impact visual or otherwise and will have a No Historic Properties Affected finding for **Dogwood** Hill.

Regarding the proposed National Register district along the eastern end of Juniper Beach, only one alignment, A-9 would have any visual impact, but it would be a No Adverse Effect finding. The remaining proposed alignments would have a No Historic Properties Affected finding for the Juniper Beach Historic District. The Goose Creek Bridge will not be impacted by any of the eastern alignments and a finding of No Historic Properties Affected will result for this resource.

The Midlands will be impacted by only one eastern alignment, B-I and although there will be no physical taking of property from within the National Register boundaries, there will be visual, audible and atmospheric impacts from the construction of this alignment and an Adverse Effect finding will result. Construction of the remaining east end alignments will result in a No Historic Properties Affected finding for The Midlands.

The impacts to the Croghan-Blankenbaker are similar in nature to The Midlands, and although there is no physical taking, construction of alignment B-1 will have an Adverse Effect to the Croghan-Blankenbaker property. The Croghan-Blankenbaker site will not be impacted by any other eastern end alignment and a No Historic Properties Affected finding would result from their construction. None of the eastern alignments would have any impact upon St. Francis in the Fleld, therefore would have a No Historic Properties Affected finding for those alternates.

There are downtown alternates, C-1, C-2 and C-3, and each involve the reconstruction in place or relocation of the existing Kennedy Bridge interchange. Alternate C-1 proposes a new bridge adjacent, and east of the existing Kennedy Bridge. Alternate C-2 proposes a new bridge adjacent and west of the existing Kennedy Bridge. Alternate C-2 proposes a new bridge across the Ohio at 9th Street. Within the area of potential effect for these alternates, there are several historic districts as well as individual structures, which are listed in the National Register. The Butchertown Historic District, Phoenix Hill Historic District and West Main Street Historic District have been listed in the National Register. The properties which are individually listed are Site 78, the New Enterprise Tobacco Warehouse, Site 80, Tobacco Realty Company, Site 82, Brown Tobacco, and Site 89,

page 4 Mr. John Mettille February 20, 2001

Snead Manufacturing Company. Site 88, the Big Four Bridge has been determined eligible for the National Register. Construction of any of the proposed downtown alternates C-1, C-2, or C-3 would have No Historic Properties Affected finding for the Big Four Bridge.

Both proposals of Alternate C-1 would have an Adverse Effect upon the Butchertown Historic District and the Phoenix Hill Historic District. Alternate C-1 and C-3 would have a finding of No Historic Properties Affected for the West Main Street Historic District. Alternate C-2, (with the relocated interchange) would have an Adverse Effect upon the Butchertown and Phoenix Hill Historic Districts. Alternate C-2, (with the reconstructed interchange) would have an Adverse Effect upon the Phoenix Hill Historic District. Alternate C-2, (with reconstructed interchange) would have a finding of No Historic Properties Affected for the Butchertown Historic District. Alternate C-2, with the new Ninth Street bridge would have an Adverse Effect upon the West Main Street Historic District. Alternate C-3, (reconstructed interchange) would have No Historic Properties Affected finding for Butchertown and Phoenix Hill Historic Districts. Alternate C-3, (relocated interchange) would have No Historic Properties District. Alternate C-3, (relocated interchange would have No Historic Properties Affected finding for the Phoenix Hill Historic District.

Both proposals of Alternates C-1 and C-3 would have No Historic Properties Affected finding for the individual Sites 78, 80, 82, and 89. Both proposals of Alternate C-2 would have an Adverse Effect upon Sites 78 and 80. Both proposals of Alternate C-2 would have No Historic Properties Affected finding for Sites 82 and 89.

If you have any questions regarding these comments, please feel free to contact Jayne H. Fiegel of my staff at 502-564-7005, ext. 121.

SIIIOGIEIS

David L. Morgan, Director Kentucky Heritage Council and

State Historic Preservation Officer

cc: Helen Powell



RENTUCKY HERITAGE COUNCIL.

The State Historic Preservation Office

David L. Morgan Executive Director and SHPO

Paul E. Patton Governor Marlene M. Helm Cabinet Secretary

May 21, 2001

Mr. John L. Mettille, Jr. Acting Director Division of Environmental Aralysis Transportation Cabinet 125 Holmes Street Frankfort, KY 40622

Dear Mr. Mettille:

The State Historic Preservation Office has received for review and approval an archaeological report entitled "An Archae old gical Reconnaissance of the Proposed Ol io River Bridges Project in Jefferson County, Kentuck | by Matthew D. Reynolds, Steven D. Creas nan, and R. Berle Clay with contributions by James T. Kirkwood.

The reconnaissance was undertaken to determine the potential that the various alternates had for impacting cultural resources. During the course of the reconnaissance, five previously unknown sites (15Jf677, 15Jf678, 15Jf679, 15Jf680, and 15Jf683) were recorded. One previously recorded archaeological site (15Jf59) was noted but not reexamined since it had been determined ineligible for National Register listing in the past. Two sites (15Jf679 and 15Jf683) are associated with standing structures listed on the Nat cond Register of Historic Places and are cons dered contributing elements to these National Register properties (Rosewell Plantation and Allison-Darrickman). The remaining three sites (15Jf677, 15Jf678, and 15Jf680) are all considered potentially eligible for listing in the National Register of Historic Places. All five of the archaeological si es would require additional investigations depending on which alternate is selected. Further, the authors note that an intensive Phase I archaeological surley will be necessary when the preferred alte nates are selected. I concur with their assessment of the f ve sites and recommendations for additional investigations.

We look forward in reviewing the intensive Phase I archaeolog cal survey report and future consultation for this project. Should you have any questions, feel free to contact Charles Hockensmith of my staff at (502) 564-71005.

David L. Morgan Director

Kentucky Heritage Council and

State Historio Preser ration Officer

cc: Mr. Charles M. Nique te

300 Washington Street Frankfort, Kentucky 40601

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manities Cabinet

KENTUCKY HERITAGE COUNCIL

The State Historic Preservation Office

David L. Morgan Executive Director and CHRZ

Paul E. Patton Governor Marlene M. Helm Cabinet Secretary

June 18, 2001

Mr. David Waldner, P.E. Director Division of Environmental Analysis Kentucky Transportation Cabinet 125 Holmes Street Frankfort, KY 40601

Re:

SHPO request for additional documentation on the Nuttall House

Louisville Bridges Project, Jefferson County, Kentucky

Item No. 5-118

Dear Mr. Waldner:

We have reviewed the additional documentation completed by Helen Powell and our staff members have personally visited the above referenced property. We appreciate the historical documentation that was provided, as it aided in our interpretation of the different construction periods undertaken at the Nuttall House. The main block of the Nuttall House was originally flanked by one story, open porches. While under the ownership of the W.L. Lyons family during the 1960's, these elements were converted into two story, enclosed wings. Although executed in a tasteful manner, these alterations radically compromised the architectural integrity of the structure and therefore it cannot be considered eligible under Criterion C. Because these additions have yet to attain the fifty-year age limit, they could not be considered contributing elements. Therefore, we concur with the findings of the Principal Investigator that this property is not eligible for the National Register.

If you have questions regarding these comments, please contact Jayne H. Fiegel of my staff at 502-564-7005, ext. 121.

Executive Director and

State Historic Preservation Officer

Cc: Helen Fowell





KENTUCKY HERITAGE COUNCIL

The State Historic Preservation Office

David L. Morgan
Executive Director and
SHPO

Paul E. Patton Governor Mariene M. Helm Cabinet Secretary

August 20, 2001 -

Mr. David Waldner, P.E. Director Division of Environmental Analysis Kentucky Transportation Cabinet 125 Holmes Street Frankfort, KY 40601

Re:

Clarification of Determination of Effect

Merriweather House

Louisville Bridges Project, Jefferson County, Kentucky

Item No: 5-118

Dear Mr. Waldner:

Regarding our review letter of February 20, 2001, it has been brought to our attention that there is a confusing statement regarding the determination of effect for the Merriweather House. The last paragraph on page 2 states "Construction of any of the east end alignments will have no impact to the Merriweather House, and therefore result in an Adverse Effect." A 13 is the only alternative that will have any visual impact to the Merriweather House. As a result the finding for A 13 would be No Adverse Effect.

If you have questions regarding these comments, please contact Jayne H. Fiegel of my staff at 502-564-7005, ext. 121.

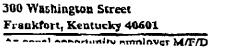
Sinceraly.

David L. Morgan

Executive Director and

State Historic Preservation Officer

Cc: Helen Powell Bill Carwile





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COMMONWEALTH OF KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES C. THOMAS BENNETT, COMMISSIONER,

February 9, 1999

Peggy Measel Sr. Biologist Haworth, Meyer, & Boleyn, Inc. 3 HMB Circle U.S. 460 Frankfort, KY 40601

RE: Endangered/threatened species review for Louisville Bridges Transportation Project, Jefferson County, Kentucky

Dear Ms. Measel:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for the above-referenced information. Please find enclosed the printout from our Kentucky Fish and Wildlife Information System (KFWIS) listing the known federal and state endangered/threatened fish and wildlife for the Albany, Anchorage, Jeffersonville, Louisville East, and Louisville West 7.5 minute USGS quadrangles. Please be aware that our system is a dynamic one and that it only represents our current knowledge of the various species distributions.

Please note the peregrine falcon is present in the project area. Before any significant activity is done by the applicant, there should be consultation with KDFWR Nongame Coordinator and with the US Fish and Wildlife Service.

I hope this information will be helpful to you. Should you require additional information, feel free to contact the Environmental Section at (502) 564-5448.

Sincerely.

Marla T. Barbour Fisheries Biologist III

Enclosures

xc: Environmental Section Files



*						04	FEB 1	1999	
Status List of Species: Rnown to Occur in NEW ALBANY NAME	, IN-KY Quad SCI.NAME	federal End.	FEDERAL THREAT.	FEDERAL PROP.E	FEDERAL PROP.T	FEDERAL CANDIDATE	STATE END.	STATE THREAT.	SPECIAL CONCERN
			_	_	-	X	X	-	-
n, Lake	Acipenser fulvescens	-	-	-	-	-	X	-	-
Gar, alligator	Atractosteus spatula	_	_	-	-	-	X	-	-
chad Mahama	Alosa alabamae	-	-	-	-	X	-	-	-
Sucker, blue	Cycleptus elongatus	-	-	-	-	X	X	-	-
Snake, Kirtland's	Clonophis kirtlandii	-	-	-	- '	-	-	-	X X
Snake, milk	Lampropeltis triangulum	-	•	-	•	-	-	•	λ _
Heron, great blue	Ardea herodias Egretta caerulea	-	-	-	-	-	X	-	X
Heron, little blue	Bubulcus ibis	-	-	-	•	•	<u>-</u>	-	-
Egret, cattle	Nycticorax nycticorax	-	•	-	•	_		X	_
Night-heron, black-crowned	Nyctiocorax violaceus	-	-	-	•	_	X		_
Night-heron, yellow-crowned	Anas discors	-	-	•	-	_	-	X	-
Teal, blue-winged	Pandion haliaetus	-	-	•	-	-	-	-	-
Osprey Falcon, peregrine	Falco peregrinus	X	X	•		-	X	-	-
Sandpiper, spotted	Actitis macularia	- X	_		_	-	X	-	-
fern, least	Sterna antillarum	A -	-	•	-	X	X	-	-
Spectaclecase	Cumberlandia monodonta	-	_	-	-	X	-	-	X
Snuffhox	Epioblasma triquetra	-	-	•	-	-	-	-	X
Sheepnose Rocksnail, onyx	Plethobasus cyphyus Leptoxis praerosa	-	-	*	-	X	-	-	X

Status List of Species: Known to Occur in LOUISVILLE WANE	W., KY-IN Quad SCI.NAME	FEDERAL END.	FEDERAL THREAT.	FEDERAL PROP.E	FEDERAL PROP.T	FEDERAL CANDIDATE	STATE END.	STATE THREAT.	SPECIAL CONCERN	
		_	_	-	-	X	X	-	-	
irtland's	Clonophis kirtlandii		_	-	_	-	-	-	X	
	Lampropeltis triangulum	-	_	_			X	-	-	
Night-heron, black-crowned	Nycticorax nycticorax	-	-	_	_	Y	-	-	-	
Shrike, loggerhead	Lanius Iudovicianus	-	•	_	-		-	¥	_	
Bat. evening	Nycticeius humeralis	-	-	-	٠	-		••		

Status List of Species: Known to Occur in LOUISVILLE WAME	E. Quad SCI.NAME	FEDERAL END.	FEDERAL THREAT.	FEDERAL PROP.E	FEDERAL PROP.T	FEDERAL CANDIDATE	STATE END.	STATE THREAT.	SPECIAL CONCERN
			_	J	-	X	X	-	-
Tirtland's	Clonophis kirtlandii	-	_	_	_	-		-	X
Chara milt	Lampropeltis triangulum	-	-	_	-	•	X	-	-
Wight-heron, black-crowned	Nycticorax nycticorax	-	•	_	-	-	-	X	-
Might-heron, yellow-crowned *	Nyctiocorax violacens	-	-	-	_		_	X	-
	Nycticeius humeralis	-	-	•	<u>.</u>	•	_	X	-
Mouse, cotton Crayfish, Louisville	Peromyscus gomsypinus Orconectes jeffersoni	•	-	•	-	X	X	-	•

Status List of Species: * Known to Occur in ANCHORAGE (NAME	Quad SCI.NAME	FEDERAL END.	FEDERAL THREAT.	FEDERAL PROP.E	FEDERAL PROP.T	FEDERAL CANDIDATE	STATE END.	STATE THREAT.	SPECIAL CONCERN
rch Luake, milk	Percopsis omiscomaycus Lampropeltis triangulum	-	- -	- - -	- - -		-	- - -	X X X
Worm great blue	Ardea herodias Nycticorax nycticorax Accipiter striatus	- -	-	- -	- - -,	, <u>.</u>	X - -	- - -	X X
Sparrow, Henslow's Crayfish, Louiswille	Ammodramus henslowii Orconectes jeffersoni	-	-	-	-	X	X	-	•

Status List of Species: . Known to Occur in JEFFERSO	ONVILLE, IN-KY Quad SCI.NAME	FEDERAL END.	FEDERAL THREAT.	FEDERAL PROP.E	FEDERAL PROP.T	FEDERAL CANDIDATE	STATE END.	STATE THREAT.	SPECIAL CONCERN
.o, black Snake, milk Grebe, pied-billed Bittern, least Night-heron, black-crowned Night-heron, yellow-crowned Merganser, hooded Osprey Falcon, peregrine Rail, king	Ictiobus niger Lampropeltis triangulum Podilymbus podiceps * Ixobrychus exilis Mycticorax nycticorax Myctiocorax violaceus Lophodytes cucullatus Pandiom haliaetus Falco peregrinus Rallus elegans	- - - - - X	- - - - - X			- - - - - - - - - - - - - - - - - - -	- X - X - X - X	- X - X - X	X X - - - - - -
Crayfish, Louisville	Orconectes jeffersoni								

FISH & WILDLIFE COMMISSION

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Parank Brown, Richmond
; Hensley, Hazard
... Robert C. Webb, Grayson
David H.Godby, Somerset





Commonwealth of Kentucky DEPARTMENT OF FISH AND WILDLIFE RESOURCES C. Thomas Bennett, Commissioner

September 14, 1999

Peggy Measel HMB 3 HMB Circle Frankfort, KY 40601

Re:

Request for information regarding fishes found in Harrods Creek and Ohio River; Jefferson

County, Kentucky

Dear Ms. Measel:

The information you requested is enclosed. Please be aware that fishes shown as occurring in the Ohio River may also be found in the headwaters of Harrods Creek. If you have any further questions, please feel free to call me at 502/564-7109, ext. 366.

Sincerely,

James S. Lane, Jr. Wildlife Biologist II

Enc. (3)

cc: Environmental Section Files



Common Name	Source
Ohio lamprey	Burr and Warren 1986
Silver lamprey	Burr and Warren 1987
Paddlefish	Pearson and Krumholz 1984
Shortnose gar	Jeff Crosby
Longnose gar	Pearson and Krumholz 1984
American eel	Pearson and Krumhoiz 1984
Skipjack herring	Pearson and Krumholz 1984
Gizzard shad	Pearson and Krumholz 1984
Threadfin shad	Personal observation
Goldeye	Pearson and Krumholz 1984
Mooneye	Pearson and Krumholz 1984
Goldfish	Pearson and Krumholz 1984
Common carp	Pearson and Krumholz 1984
Bighead carp	Pearson and Krumholz 1984
Grass carp	Pearson and Krumholz 1984
Silver carp	Burr and Warren 1986
Speckled chub	Burr and Warren 1986
Silver chub	Pearson and Krumholz 1984
Golden shiner	Burr and Warren 1987
Emerald shiner	Pearson and Krumholz 1984
Silver shiner	Burr and Warren 1986
River shiner	Pearson and Krumholz 1984
Striped shiner	Pearson and Krumholz 1984
Mimic shiner	Pearson and Krumholz 1984
Mississippi silvery minnow	Burr and Warren 1987
Central stoneroller	Personal observation
Blue sucker	Personal observation
River carpsucker	Pearson and Krumholz 1984
Quillback carpsucker	Pearson and Krumholz 1984
Highfin carpsucker	Burr and Warren 1986
White sucker	Pearson and Krumholz 1984
Smallmouth buffalo	Pearson and Krumholz 1984
Bigmouth buffalo	Pearson and Krumholz 1984
Black buffalo	Pearson and Krumholz 1984
Spotted sucker	Pearson and Krumholz 1984
Golden redhorse	Pearson and Krumhoiz 1984
Shorthead redhorse	Burr and Warren 1986
River redhorse	Burr and Warren 1986
Silver redhorse	Burr and Warren 1986
Blue catfish	Pearson and Krumholz 1984
Channel catfish	Pearson and Krumholz 1984
Flathead catfish	Pearson and Krumholz 1984
Black bullhead	Pearson and Krumholz 1984
Yellow bullhead	Pearson and Krumholz 1984
Brown bullhead	Pearson and Krumholz 1984
Blackstripe topminnow	Burr and Warren 1986
•	

Brook siverside Striped bass Hybrid striped bass

White bass
Rock bass
Green sunfish
Warmouth

Orangespotted sunfish

Bluegill

Longear sunfish
Redear sunfish
Spotted bass
Largemouth bass
Smallmouth bass
White crappie

White crappie
Black crappie
Logperch

Slenderhead darter Greenside darter Johnny darter Fantail darter Rainbow darter

Sauger Walleye Yellow perch Freshwater drum Burr and Warren 1986

Pearson and Krumholz 1984

Pearson and Krumholz 1984
Pearson and Krumholz 1984
Pearson and Krumholz 1984
Pearson and Krumholz 1984
Pearson and Krumholz 1984

Personal observation

Pearson and Krumholz 1984 Pearson and Krumholz 1984 Pearson and Krumholz 1984

Personal observation Burr and Warren 1986 Burr and Warren 1986 Personal observation

Pearson and Krumholz 1984 Pearson and Krumholz 1984 Pearson and Krumholz 1984 Burr and Warren 1986

Burr and Warren 1986

Table 7. Species composition and relative abundance of fish determined from a rotenone sample on Harrods Creek, Station 18, on 5 July 1990.

	Finger (per a	ling size	Interme (per	diate size	Harvesta (per e	able size cre)		otal: acre)		f total
Species	No.	Lb	No.	Lb	No.	Lb	No.	Lb	No.	r F
SAME FISHES							·	·		
Largemouth bass	63.33	0.13	33.33	4.20			39.99	4.26	t	0.7
Spotted bass			3.33	0.33			3.33	0.33	t	
Total	6.66	0.06	36.66	4.53			43.32	4.59	t	<u>t</u> 0.7
PISCIVOROUS TOTAL	6.66	0.06	36.66	4.53			43.32	4.59	t	0.7
PANFISHES							•			
Bluegill .	20.00	0.10	10.00	0.10	3.33	0.33	33.33	0.53	t	0.1
Rock bass			33.33	0.60	6.66	1.70	39.99	2.30	t	0.3
Longear sunfish	203.33	0.20	203.33	6.56			406.66	6.76	0.5	1.1
Green sunfish	193.33	1.50	483.33	16.43	6,66	1,20	683,32	19.13	0.8	3.1
Total	416.66	1.80	729.99	23.69	16.65	3.23	1,163.30	28.72	1.4	4.7
COMMERCIAL FISHES	•								-, -	 -
Golden redhorse	3.33	0.03					3.33	0.03	t	t
Northern hog sucker	3.33	0.13	23.33	1.56			26.66	1.69	ť	0.2
White sucker	36.66	1.00	31.66	14.90			353.32	15.90	0.4	2.6
Yellow bullhead	373.33	7.93	36.66	2.96			409.99	10.89	0.5	
Total	416.65	9.09	376.65	19.42		• • • • • •	793.30	28.51	0.9	1.8 4.7
FORAGE FISHES		· · · · · · · · · · · · · · · · · · ·	<u> </u>				·····			
Central stoneroller	9,010.00	90.10	3,213.33	77.46			12,223.33	167.56	15.2	27.9
Silverjaw minnow	353.33	0.66	•				353.33	0.66	0.4	0.7
Creek chub	883.33	10.46	2,140.00	75.63	6.66	1,20	3,029.99	87.29	3.7	14.5
Striped shiner	4,610.00	34.43	1,320.00	24.63			5,930.00	59.06	7.4	9.8
Bluntnose minnow	37,986.66	171.60	_,				37,986.66	171.60	47.4	28.6
Blackstripe topminno	-	0.23					106,66	0.23	0.1	
Rosefin shiner	76.66	0,20					76.66	0.20	0.1	t
Stonecat	3.33	0.06			-		3.33	0.06		t
Greenside darter	2,296.66	14.73	176.66	2.23					t	t
Fantail darter	3,116.66	7.46	1/0.00	4.4			2,473.32	16.96	3.0	2.8
Johnny darter	•	2.90					3,116.66	7.46	3.8	1.2
_	1,440.00						1,440.00	2.90	1.7	0.4
Orangethroat darter_		23,40	C 040 00	370.05			11,306.66	23.40	14.1	3.9
Total	71,189.95	356.23	6,849.99	179.95	6.66	1.20	78,046.60	537.38	97.5	89.6
NON-PISCIVOROUS				· · · · · · · · · · · · · · · · · · ·					·	
TOTAL	72,023.26	367.12	7,956.63	223.06	23.31	4.43	80,003.20	594.61	99.9	99.2
GRAND TOTAL	72,029.92	367.18	7,993.29	227.59	23.31	4.43	80,046.52	599.20	100.0	100.0

Name of stream	Harrods Creek	Length: 35.2	mi	
Station No.: 18	Order: II Cr	ew Prather, Hill, Fa	rmer, Williams, 2 S.	A's
Exact location @	300 yd below old Sligo Smithfield quad	Road Bridge at Fair	light Valley Arabian	a Farm property; Oldham Co.;
Photo No.	Description	··		
Sampling method	rotenone	Rate	Quantitative	X Qualitative
Sampling time: elect	trofishing	gill netting (describe nets)	
	400 ft 			
	CHEMICAL A	AND PHYSICAL CHA	RACTERISTICS	
Air temp. 80	op Sur. temp. 70 or	D.O. 8.3 mg/l	pH 7.9 Alk.	205 mg/l Sal. 0 ppt
Spec. Cond. 445	tumhos Turbid	9.3 NTU Stream	condition: High	LowNormal_X
Current velocity n	•	Volume of flow 10.49	cfs Gradie	ent 10.2 ft mi
Annual flow: Constan	ntX	Intermittent		
Pollution: Absent_	Present	Typesilt	Cont	inuousPeriodicX
Source: agric	ulture			
Fish Shelter: Abunda	ant X Medium	Sparse_		
Type: Undercut bank:	s X Boulders	Ledges	Logs	Brush X water willows
Riparian zone: 0-10	m10-20 m	20-30 m	х	
Shade: 75-100% X	50-75%	25-50%	5-25%	0-5%
Bottom type (%):				
(1) Pool area: Bedro	ock 50 Boulder (>12	in) 5 Large r	ubble (6-12 in) 10	Small rubble (3-6 in) 10
Course gravel (1	-3 in) 5 Fine grave	d (0.1-1 in)5	Sand 5	Silt 5
(2) Riffle area: Bed	rockBoulder (>12	in) 10 * Large r	rubble (6-12 in) 50	Small rubble (3-6 in) 20
Course gravel (1	-3 in) 25 Fine grave	d (0.1-1 in)	Sand Cla	y Silt
Muck	Detritus			
Pool-Riffle ratio in	section: 95	* Pool	5 % Riffle	
Aquatic vegetation:_	Abundant X Com	mon	Sparse	_
Type Justice	ea, water willow (in bloc	om).		and the second s
Observations on sacro	oinvertehrates:	<i>C</i>		
Dominant organisms:	crayfish, mayflies very	, abundant; also sna	ils, small mussels,	Lampsilis radiata, Leptodea
	laerissma anodarta s	sp. 55fingernail clam	ıs	

Table 14. Species composition and relative abundance of fish determined from a rotenome sample on Harrods Creek, Station 25, on 6 September 1990.

	Fingerling size (per acre)		Intermediate size (per acre)		Harvestable size (per acre)	Total (per acre)		t of total (per acre)		
pecies	No.	Lb	No.	ĽЬ	No.	Lb	No.	ľÞ	No.	I.
AME FISHES										
argemouth bass			6.97	2.88	2.32	1.72	9.29	4.60	0.1	1.3
Smallmouth bass	25.58	0.20	67.44	18.09	13.95	11.16	106.97	29.45	0.9	8.5
Spotted bass	6.97	_t	2.32	0.60			9.29	0.60	0.1	0.1
Total	32.55	0.20	76 .7 3	21.57	16.27	12.88	125.55	34.65	1.0	10.0
PISCIVOROUS TOTAL	32.55	0.20	76.73	21.57	16.27	12.88	125.55	34.65	1.0	10.0
PANFISHES						16.00	144 77	37.04		 -
Rock bass	53.48	0.09	20.93	1.02	69.76	16.83	144.17	17.94	1.2	5.1
Longear sunfish	918.60	1.86	423.25	21.86	11.62	1.72	1,353.47	25.44	11.4	7.3
Redear sunfish			6.97	0.18	<u>-</u>		6.97	0.18	0.1	0.1
Green sunfish			20.93	0.97	4.65	1.02	25.58	1.99	0.2	0.5
Warmouth			2.32	0.37			2.32	0.37	t	0.1
Bluegill	2.32	t	32.55	0.69			34.87	0.69	. 0.2	0.1
Total	974.40	1.95	506.95	25.09	86.03	19.57	1,567.38	46.61	13.2	13.4
COMMERCIAL FISHES							10.60	30.60		
Freshwater drum					18.60	18.60	18.60	18.60	0.1	5.3
Golden redborse			48.93	7.33	167.44	134.41	216.27	141.74	1.8	40.9
Black redhorse			141.86	24.04			141.86	24.04	1.1	6.9
Shorthead redhorse			2.32	0.93			2.32	0.93	t	0.2
Northern hogsucker			44.18	11.32			44.18	11.32	0.3	3.2
White sucker			2.32	0.32			2.32	0.33	t	0.1
Yellow bullhead	186.04	1.04	27.90	4.83	4.65	2.41	218.49	8.28	1.8_	2
Total	186.04	1.04	267.41	48.77	190.69	155.42	644.14	205.23	5.4	55
FORAGE FISHES	•									
Gizzard shad					30.23	8.23	30.23	8.23	0.2	2.3
Central stoneroller	1,579.06	9.55	372.09	11.62			1,951.15	21.17	16.4	6.1
Creek chub	18.60	0.09	4.65	0.09			23.25	0.18	0.1	t
Brook silverside	18.60	t				•	18.60	t	0.1	t
Striped shiner	1,955.81	4.51	165.11	7.25			2,120.92	11.76	17.9	3.3
Stonecat	237.20	0.90	118.60	4.97	•		355.80	5.87	3.0	1.6
Blackstripe topminnow	79.06	0.07					79.06	•	0.6	t
Rosefin shiner	67.44	0.11	•				67.44	0.11	0.5	t
Emerald shiner	834.88	1.02			•		834.88	1.02	7.0	0.2
Bluntnose minnow	2,004.65	4.46					2,004.65	4.46	16.9	1.2
Logperch	,		11.62	0.39			11.62		0.1	0.1
Greenside darter	537.20	2.51	13.95	0.23			551.15	2.74	4.6	0.7
Fantail darter	346.51	0.84					346.51	0.84	2.9	0.2
Orangethroat darter_	1,113.95	3.11					1,113.95	3.11	9.4	0.8
Total	8,792.96	27.17	686.02	24.55	30.23	8.23	9,509.20	59.95	80.2	17.3
NON-PISCIVOROUS TOTA	L 9,953.40	30.16	1,460.38	98.41	306.95	183.22	11,720.72	311.79	98.9	89.9
GRAND TOTAL	9,985.95	30.36	1,537.11	119.98	323.22	196.10	11,846.28	346.44	100.0	100.0

Name of stream_	Harrods Creek	Length 35.2 mi
Station No.: 25	Order: IV Crew Prather, Weathers.	Hill, Farmer, Williams, Axon, Kinman, Pelrin,
Exact location access	through private farm; land off Hwy 329	Hockensmith, Watson
Photo No D	escription	
Sampling method	cotenone Rate 0.10 g	al Quantitative X Qualitative
		escribe nets)
Length of area 426 ft	t Avg. width 44.3 ft Avg dep	oth 72' Surface acres 0.43
	CHEMICAL AND PHYSICAL CHAR	ACTERISTICS
Air temp. 76 op	Sur. temp. 70 °F 0.0. 7.4 mg/l	pH 7.6 Alk. 188 mg/l Sal. 0 pr
Spec. Cond. 420		ondition: High Low X Normal
		cfs Gradientft =
Annual flow: Constant_	X Intermittent	·
Pollution: Absent	Present X Type silt	Continuous Periodic X
Source: constructi	on	
Fish Shelter: Abundant	Medium X Sparse	·
Type: Undercut banks	X Boulders X Ledges X	Logs X Brush X
Riparian zone: 0-10 m_	10-20 m 20-30 m	X
Shade: 75-100%	50-75% 25- 50% X	5-25% 0-5%
Bottom type (%):		
(1) Pool area: Bedrock	Boulder (>12 in) 50 Large ru	bble (6-12 in) 25 Small rubble (3-6 in) 25
Course gravel (1-3	in) . Pine gravel (0.1-1 in)	
(2) Riffle area: Bedrock	kBoulder (>12 in) 50 Large ru	bble (6-12 in) 20 Small rubble (3-6 in) 10
Course gravel (1-3	in) 10 Fine gravel (0.1-1 in) 10	SandSilt
Muck Detu	ritus	
Pool-Riffle ratio in se	ction: 60 % Pool 40	% Riffle
Aquatic vegetation: Ab	undantCommonX	Sparse
Type water w	illow on shoals	
Observations on macroin		
Dominant organisms:		abusia, water penny, floater mussel Lampsilis spp
	, 73	

BOARD OF COMMISSIONERS OF CLARK COUNTY, INDIANA

ROOM 306, CITY-COUNTY BUILDING 501 E. COURT AVENUE JEFFERSONVILLE, INDIANA 47130 (812) 285-6275 (812) 285-6276 FAX (812) 285-6366

RALPH GUTHRIE, PRESIDENT M. EDWARD MEYER DENNIS M. HILL REBECCA LOCKARD, COUNTY ATTORNEY HYUN T. LEE, ENGINEER/DIRECTOR

February 1, 2000

Mr. Jeffery A. Vlach Community Transportation Solution, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

RE: Interchange System

Ohio River Bridge Project

Dear Mr. Vlach:

The Board of Commissioners of Clark County, Indiana hereby recommends constructing an interchange between Highway 62 and the Ohio River, but not at the Utica Pike or Upper River Road locations. We believe the interchange system will be a great benefit to Utica and the former Indiana Army Ammunition Plant areas.

If you have any questions, feel free to contact us.

Dennis M. J

Sincerely,

Commissioner

. Edward Meyer, Commissioner

CC:

file



Jefferson County Public Works Jefferson County, Kentucky

Rebecca Jackson

County Judge/Executive

James C. Adkins Director

February 21, 2000

Mark W. Adams, P.E. County Engineer

Mr. John Clements Community Transportation Solutions Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

RE: OHIO RIVER BRIDGES PROJECT

Dear Mr. Clements:

I am writing to request that I be added to the Consultation Process. The Ohio River Bridges project is critically important to this community and as County Engineer, I would like to be included in this new process.

Please let me know if you need any additional information.

Sincerely,

Mark W. Adams, P. E.

Mach W. Stams

County Engineer

MWA:mjr

C: Rebecca Jackson, County Judge/Executive Lorie Beavin, Deputy County Judge/Executive Jim Adkins. Director



<u>Jefferson County Public Works</u> Jefferson County, Kentucky

Rebecca Jackson County Judge/Executive

James C. Adkins
Acting Director

Mark W. Adams, P.E.

County Engineer

May 31, 2000

Mr. John Clements Community Transportation Solutions Inc. 10000 Shelbyville Road, Suite 110 Louisville, KY 40223

RE: OHIO RIVER BRIDGES

Dear Mr. Clements:

This letter is written as a follow-up to several recent meetings we have had with the CTS Team. I would like to first thank you for your willingness to discuss the various bridge issues.

The preferred Eastern Jefferson County alignments are A-13 and A-15. These alignments are the safest, least disruptive to the community and were also the preferred alignments for ORMIS. The tunnel option is definitely a viable solution, but I would like to make sure this option is feasible to construct. As discussed, we have requested a cost estimate showing the incremental cost of constructing a tunnel vs. the open cut alternative on the same alignment.

The other concern I have is the possibility of constructing an interchange at Wolf Pen Branch Road. This proposal would close Springdale Road and route traffic through Green Springs. This option would not be an acceptable alternative for handling the Interstate access.

The Draft E.I.S. is an important phase in the process. We appreciate the open process which has been utilized on this study and thank you for your consideration of these requests.

Sincerely,

Mark W. Adams, P.E.

Mach W. Dams

County Engineer

MWA:dw

cc: Rebecca Jackson, County Judge/Executive

THE CITY OF JEFFERSONVILLE

TOM GALLIGAN Mayor

DIRECTOR OF PLANNING & DEVELOPMENT
JANA L. ECKER

City County Building 501 E. Court Avenue Jeffersonville, Indiana 47130 (812) 285-6493 FAX (812) 285-6468

February 16, 1999

Sent by Fax (502) 253-9520

Louisville – Southern Indiana Ohio River Bridges Project 10000 Shelbyville Road Suite 110 Louisville, KY 40223

Attention: Mr. John Clements

Dear Mr. Clements:

Re: Ohio River Bridges Project – Environmental Impact Statement / Preliminary Design

Further to our meeting at your office on January 27, 1999, I wish to provide you with some statistics that you are missing on the growth that the City of Jeffersonville has been experiencing over the past two year period.

East End of Jeffersonville

There has been a tremendous amount of new residential and industrial growth that has been taking place in the east end of Jeffersonville, and in Clark County. Traffic in these areas has steadily increased, and will continue to do so as new businesses locate in the newly created industrial parks, and in the soon to be re-developed Indiana Army Amunition Plant. Truck traffic in particular will increase as new shipping and manufacturing businesses continue to move into the are. In the past two years alone, the following companies have located in either the Clark Maritime Center or Bridgeport Business Center in the east end of Jeffersonville:

Corporation	Type of Firm	Investment	# of Employees
Chemtrusion	Plastic Compounding	\$13.7million	75
Galvstar	Steel Production	\$40 million	60
General Electric	Distribution Center	\$20 million	170

RPS Inc.	Trucking Firm	\$6.4 million	79
Scansteel	Steel Production	\$2.8 million	75
Vogt Valve	Industrial Valve Applications	\$37 million	350
Voss-Clark	Metal Processing	\$17.3 million	62
Wayne Steel	Steel Fabrication	\$5.8 million	60

I suggest that you contact Mr. Bob Grewe at the Clark County Redevelopment Commission with regards to the specific re-development plans for the Indiana Army Ammunition Plant ("INAAP") which is located on the south side of State Road 62 about three miles outside of the east end of the City of Jeffersonville. The development of this large tract of land will clearly result in substantial infrastructure and industrial investment in the area, greatly increasing both personal and commercial car and truck traffic in the area, and throughout the Kentuckiana region.

Clearly, an east end bridge that connects I-265 in Indiana and the Gene Snyder Freeway in Kentucky is necessary in light of the heavy industrial development that is occurring in the east end of Jeffersonville and neighboring Clark County. The east end bridge would provide an alternate route for commercial truck traffic in the region, and would help ease the congestion currently caused by forcing all traffic into the downtown region in order to cross the state line.

Downtown Jeffersonville

In addition to the industrial and residential growth in the east end of Jeffersonville, the downtown area has also been attracting new investors and new commercial development. Specifically, the area that has been known as the "piggyback yard" in Jeffersonville on the north side of the Ohio River between the Clark and Kennedy Bridges is in the process of being re-developed. While in your office, I noticed that your maps did not reflect the current status of this prime land. I have enclosed for your information a hand-sketched map that details the development that will be completed on the piggyback property within the next year or so. The following is a summary of the nature and extent of this development:

Corporation	Type of Development	Investment
Rocky's On the River	Restaurant	\$1.5 million
Barrister Group	Shopping Complex	\$1 million
Town Place Suites	Hotel Complex	\$8.6 million
Fairfield Inn	Hotel Complex	\$5.8 million
Northshore Development	Office Towers	\$8.5 million

Clearly, it is not feasible to consider design alternatives that would cut across this piggyback property and destroy the new commercial development that is occurring in this area, just as you did not consider it feasible to consider design alternatives that would cut across the new Louisville baseball stadium and destroy that new development.

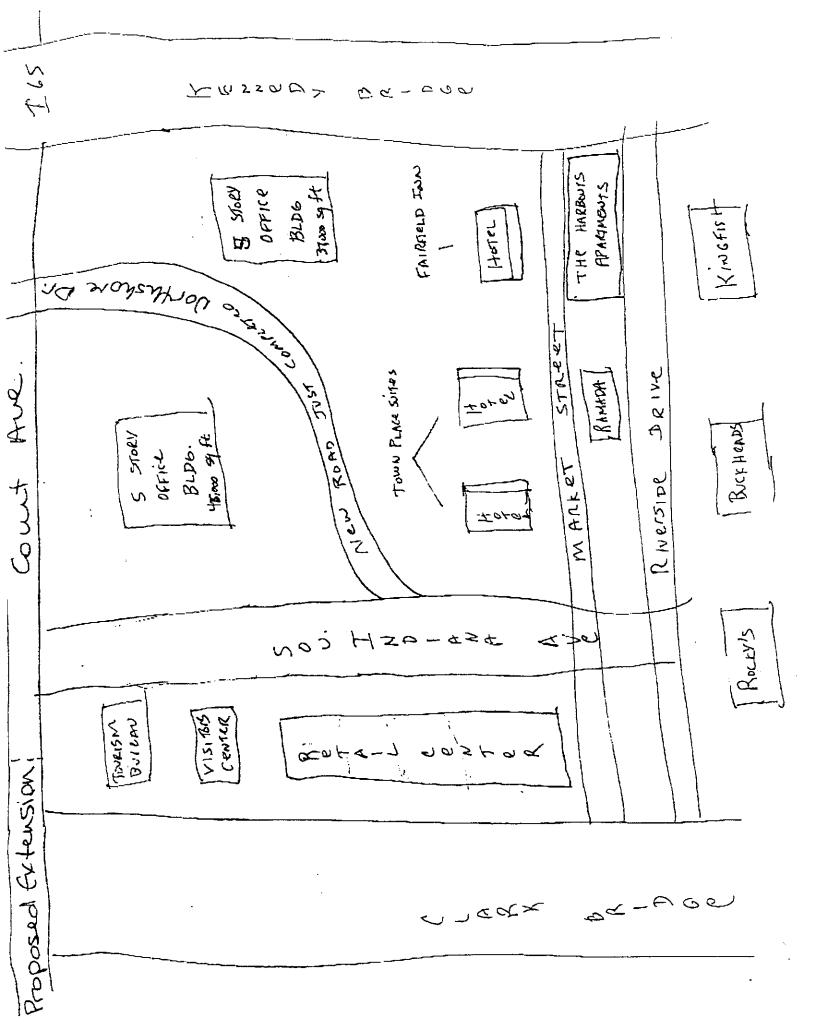
I trust that this information will be of use to you as you consider the design alternatives and potential sites for any new Ohio bridge projects. If I can be of further assistance to you, please do not hesitate to contact me at your convenience.

Trusting the foregoing is satisfactory, I remain,

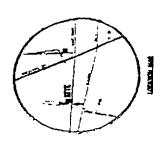
Yours very truly,

Jana L. Ecker

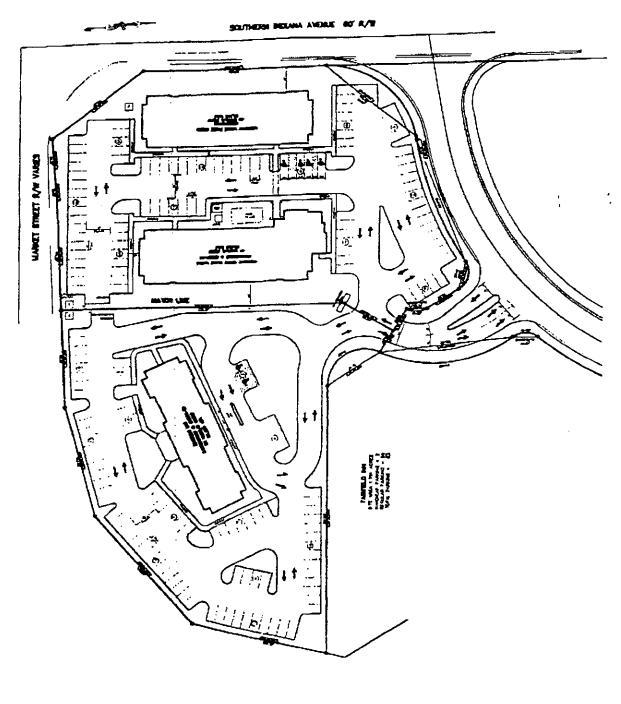
Director of Planning and Zoning



MESTERNAN & ASSOCIATES INC







THE CITY OF JEFFERSONVILLE

Robert L. Miller City Engineer 812-285-6476 1003 Fulton St. Jeffersonville, In 47130

TOM GALLIGAN MAYOR Becky Snelling Secretary 812-285-6407 City-County Bldg. 501 E. Court Ave. Jeffersonville, In

Fax 812-285-6468

December 5, 2000

Mr. John Clements Ohio River Bridge Project

Dear Mr. Clements:

I have been reviewing the Purpose and Need booklet distributed at the last meeting. It appears to show, according to Figure 1.6 on page 16, the largest amount of growth has been, and will continue to be, occurring in Jeffersonville and Clark County. This would definitely make the East End bridge most feasible, as it would have the least negative impact on existing homes and businesses.

However, it seems with the current plans to widen I-64 and I-71 to Spaghetti Junction, the stage is being set to build the new bridge into Jeffersonville.

The people of Jeffersonville did not create the problems at Spaghetti Junction and they should not be forced to be the solution to those problems. We need to come up with a plan that does not damage the City of Jeffersonville.

The ORMIS study, as I understand it, recommended building an East End bridge before any other. I believe this is the best course of action.

I will continue to work toward a solution that is fair and reasonable to all parties concerned.

Sincerely,

Robert L. Miller City Engineer

City of Jeffersonville

Robert L. Willer



December 22, 2000

Mr. Tim Talaga Community Transportation Solutions, Inc. Ten Thousand Building, Ste. 110 Shelbyville Road Louisville, KY 40223

RE: Ohio River East Bridges Alternatives

Dear Mr. Talaga:

This letter is in response to your letter dated November 29, 2000 requesting that we identify any potential conflicts for each of the proposed Ohio River East Bridges alternatives. MSD is currently in the process of reviewing this information. Based on our preliminary review of your proposed alignments we have identified the following conflicts:

Alternative E11A

At Station 18+150, the proposed bridge alignment will cross the Ohio River Force Main (ORFM). The ORFM cannot be removed, unless it is relocated. MSD is also planning an extension of the ORFM at this point that will continue to run out US 42 and may cause additional impacts to the bridge study. From Station 19+100 to Station 19+480, you have identified a number of lines that are proposed to be removed or relocated. Depending on which houses are affected by the alignment, this should be acceptable. Although not identified, MSD also has an existing force main along Wolf Pen Branch Road, near Station 19+100. The force main will have to be relocated if this alternative is selected. This alternative would, however, eliminate flood prone homes on Juniper Beach. Also, please be aware that all work in the floodplain must comply with the Floodplain Ordinance.

Alternative E16A

At this time, the sewers shown in conflict with the bridge alignment from Station 17+200 to Station 17+460 are not owned by MSD. They are part of the privately owned Shadow Wood system. In any case, the lines will need to be relocated. At Station 18+940, MSD has an existing force main in Wolf Pen Branch Road that will need to be lowered or relocated. MSD also plans to install dual force mains along US 42, near Station 18+100 within the next two years. This alternative would also eliminate flood prone homes on Transylvania Beach.

Alternative E16B

Same comments as Alternative E16A. The force main in Wolf Pen Branch Road will probably have to be relocated from Station 4+800 to Station 5+327. This alternative would also eliminate flood prone homes on Transylvania Beach.

Alternative E17

Same Comments as Alternative E16A. This alternative would also eliminate flood prone homes on Transylvania Beach.

Alternative E18

At this time, the sewers shown in conflict with the bridge alignment near Station 17+080 are not owned by MSD. They are part of the privately owned Shadow Wood system. In any case, the lines will probably need to be relocated, unless the properties connected to the sewers are removed. MSD has several proposed projects near this alternative. In our current Capital Plan MSD intends to construct a major interceptor sewer (30" diameter" or larger) along the north side of Harrods Creek from approximately Station 16+700 to Station 17+000. At Station 17+000, the line will cross to the south side of Harrods Creek and continue to a proposed major pumping station near Station 17+300. There will also be another major interceptor crossing Harrods Creek at this location, and it will parallel Harrods Creek to approximately Station 18+000. This alternative would also eliminate flood prone homes on Transylvania Beach.

Alternative E2A

The sewers shown in conflict at Station 18+300 will have to be removed or relocated. MSD also intends to construct a major Interceptor sewer (30" diameter or larger) which will cross the proposed bridge alignment near Station 17+400.

We would like to meet with you, the Project Manager, and any Technical Project staff in the month of January to discuss these conflicts. Please contact my assistant, Karen Sherwood at (502) 540-6295, to discuss the scheduling of this meeting. In the future, please forward me all project related questions or comments you may have on documentation related to the bridge alignment alternatives and MSD facilities and I will ensure that these are answered in a timely manner.

Sincerely,

Saeed Assef

Area Team Leader

Saced Arry

cc: John Clements, CTS

Jim Zei, CTS

Gordon Garner, MSD

Vince Bowlin, MSD

John Berry, CTS

Derek Guthrie, MSD

Mike Sweeney, MSD

Loyiso Melisizwe. MSD

Jim Hilton, CTS

Trish Burke, MSD

Dave Johnson, MSD

Randy Stambaugh, MSD



January 18, 2001

Mr. Tim Talaga Community Transportation Solutions, Inc. Ten Thousand Building, Ste. 110 Shelbyville Road Louisville, KY 40223

RE: Ohio River Downtown Bridge Alternatives

Dear Mr. Talaga:

This letter is in response to your letter dated September 26, 2000 requesting that we identify any potential conflicts for each of the proposed Ohio River Downtown Bridge alternatives. The letter was addressed to Mr. Charlie Brown who retired almost two years ago. We apologize for the delay in responding to your request. MSD is currently in the process of reviewing this information. Based on our preliminary review of your proposed alignments we have identified the following conflicts:

Alternative D17b

Between the Stations 30+500 and 31+500, the proposed bridge alignment will affect the Ohio River Force Main (ORFM) on I-64E. These are dual 24" force mains and they would probably have to be relocated since most of the area is to be filled.

Also, on our map, the 68" out fall from Buchanan is not highlighted (but is shown on the listing). There is a 60" line under I-64 at Station 31+300 that is highlighted, but not shown on the listing. The listing shows a 113" line that is at Station 40+270 on I-64W. According to MSD's Atlas, it looks like this should be either 84" or 60".

All sewers located in Adams Street will need to be relocated to the other portion of Adams Street. This encompasses approximately stations 30+640 to 31+460 and includes: 5600 LF of 24" Force Main, 1000 LF 18" Combined, 2100 LF 8" Sanitary, 500 LF 15" Sanitary, 550 LF 24" Sanitary, and 150 LF 60" Combined. All combined sewers are required, by law, to be separated into sanitary and storm lines.

Alternative D18

The ORFM will be affected on I-64E from approximately Station 11+250 to Station 12+450, and near the intersection of I-71 and Ohio Street. These are dual 24" force mains and they would probably have to be relocated since most of the area is to be filled.

Around station 12+585 - Remove 400 LF 12" Sanitary, 200 LF 10" Sanitary and 100 LF 8" Sanitary and install new 10" PSC and tie into the sewer on Adams Street.

Along stations 11+600 to 12+400 - Relocate approximately 2000 LF of 72" Storm, 2000 LF of 68" Combined, and 800 LF 36" Storm. All combined sewers are required, by law, to be separated into

sanitary and storm lines. The following sewers are to remain: 78" sewer located around station 11+780, 60" sewer located around station 10+700, and 72" sewer located around station 10+300.

Relocate approximately 600 LF of 15" and 18" Storm line into relocated Clay Street.

Sewers located in recently relocated west Jackson Street are to remain on Clay Street, as are sewers located between Preston and Floyd.

Alternative D9a

It seems our maps do not match yours. It appears that Station 6+230 should be 6+630. Also, at the same location you have a 42" line, but our atlas indicates it as a 24" line.

All sewers to remain except 400 LF of 48" Combined sewer under the proposed off ramp along North 10th street.

MSD is not currently planning any future work in the area noted for the proposed road. The only new development known about is the Xtreme Sports Park being built by the Parks Department. All combined sewers are required, by law, to be separated into sanitary and storm lines. It may be necessary to separate lines then reconnect them downstream of separation.

We would like to meet with you, the Project Manager, and any Technical Project staff in the month of February to discuss these conflicts. Please contact my assistant, Karen Sherwood at (502) 540-6295, to discuss the scheduling of this meeting. In the future, please forward me all project related questions or comments you may have on documentation related to the bridge alignment alternatives and MSD facilities and I will ensure that these are answered in a timely manner.

Sincerely,

Saeed Assef

Area Team Leader

cc: John Clements, CTS

Jim Zei, CTS

Gordon Garner, MSD

Vince Bowlin, MSD

John Berry, CTS Derek Guthrie, MSD

Mike Sweeney, MSD

Loyiso Melisizwe. MSD

Jim Hilton, CTS Trish Burke, MSD

Dave Johnson, MSD

Randy Stambaugh, MSD



February 22, 2001

Mr. Tim Talaga Community Transportation Solutions, Inc. Ten Thousand Building, Ste. 110 Shelbyville Road Louisville, KY 40223

RE: Comments on Ohio River Bridge Alternatives

Dear Mr. Talaga:

This letter is in response to your letter dated January 18, 2001 requesting that we identify any potential conflicts for the proposed Ohio River Downtown Bridge alternative B1. MSD is currently in the process of reviewing this information. Based on our preliminary review of your proposed alignments we have identified the following conflicts:

Alternative B1

At station 10+200 you are proposing to put a bridge over the Muddy Fork PS. It doesn't bother us to allow that, but you'll need to be very careful during construction. MSD cannot shut this station down for any reason. There's also a force main that runs in Indian Hills Trail from the Muddy Fork PS to the north side of I-71 that isn't highlighted.

At station 10+200 to 11+200, although it is not shown on the map as a conflict, MSD has recently installed a 10" sewer that runs parallel to I-71 (on the south side) in this area. Approximately 500' of it is in the existing right of way. This 10" sewer will probably have to be relocated, but that will be difficult. KTC would not allow MSD to cross I-71 at Blankenbaker Road to put the line on the north side, and that's why it was installed in that location.

At station 11+400 we've found two conflicts in this location. The ORFM is shown in a cut section, and it will have to be relocated. The second conflict we've identified involves eliminating an existing subdivision. Sewers in the subdivision can be abandoned, but we'll still need the pump station and force main to serve other areas.

At station 13+100 the conflict we've identified actually starts at Station 12+600, but our Winding Falls Pump Station isn't shown on the map provided. In order to address this conflict you will need to relocate the PS, its FM and the sewers that run to the PS.

At station 13+600 the existing force main can probably remain since this will be in a fill section.

At station 14+300 it appears that the existing residential property will be removed, and if this is true then most of the sewers can be abandoned. There may be one line that serves other areas (including the old Ramada Inn) that may have to be replaced.

We would like to meet with you, the Project Manager, and any Technical Project staff in the month of March to discuss these conflicts and the cost involved to address these conflicts. Please contact my assistant, Karen Sherwood at (502) 540-6295, to discuss the scheduling of this meeting.

Sincerely,

Saeed Assef

Area Team Leader

Sared ANY

cc: John Clements, CTS
Jim Zei, CTS

Derek Guthrie, MSD

Vince Bowlin, MSD

John Berry, CTS Gordon Garner, MSD Trish Burke, MSD

Loyiso Melisizwe. MSD

Jim Hilton, CTS

Mike Sweeney, MSD Dave Johnson, MSD

Randy Stambaugh, MSD



June 14, 2000

Ms. Pamela Tinsley Doe-Anderson, Inc. 620 West Main Street Louisville, KY 40202

Re: Louisville-Southern Indiana Ohio River Bridges Project Downtown Louisville Area Work Group

Dear Pamela:

After reviewing the summary dated May 26, 2000, Waterfront Development Corporation board members wanted to forward their position on the location of a downtown bridge.

The Board of Directors of the Waterfront Development Corporation wish to comment on the alternatives being considered for a downtown bridge. While "C2", the Ninth Street option, promises the fewest negative impacts to Waterfront Park, its impacts to downtown Louisville appear both disastrous and insurmountable. Option "C3" would cause major landscape changes in a portion of Waterfront Park that is already constructed. We find "C1" to create the fewest problems for downtown Louisville. Problems created for Waterfront Park can be dealt with by our design team as we work through the design development stage of Phase II (an area between the Kennedy Bridge and Stop-Lite Liquors). An underutilized area to the east, south-east of Spaghetti Junction could be used for bridge approaches and multiple distribution lanes. When that area is considered for bridge related usage, we would like at least two opportunities to be considered. The first opportunity is suggested in the latest summary. Roadway approaches might be on earthen berms that could provide flood protection for a small portion of Butchertown. The second opportunity, and one we believe is absolutely necessary, is elevating the new and expanded Spaghetti Junction on structure. Pedestrian and bicycle paths could be designed under the interstate and automobile parking could benefit Butchertown and Waterfront Park while also taking pressure off downtown parking.

Page 2 Ms. Pamela Tinsley June 14, 2000

Hopefully, this can be posted on your web site along with other comments you have received.

Best regards,

Mike Kimmel

Deputy Director

/dsh

c: WDC Board Members Katie Schneider Kathy Matheny J. David Morris



City of Prospect

9200 U.S. Highway 42 • Post Office Box 1 • Prospect, KY 40059 (502) 228-1121 • Fax (502) 228-9542

Mayor

Lawrence C. "Lonnie" Falk

City Council
Raymond Burse
Nan Milliman
Alan Simon
Harold J. Smith
Sandy Tucci
Lee Zimmerman

City Administrator Ann R. Simms

City Clerk Phyllis A. O'Donnell

Acting Chief of Police Larry Johnson

City Attorney Grover C. Potts, Jr. 589-5235 December 15, 2000

Mr. Bill G. Carwile Environmental Analysis Manager Community Transportation Solutions Ten Thousand Building – Suite 110 Shelbyville Road Louisville, KY 40223

Dear Bill:

Thank you for your letter of the other day concerning the process by which CTS will be addressing the Section 106 requirements. I am delighted to be participating in this project and look forward to some very interesting sessions. As I am sure you know, the "historical issue" is one about which there is much interest and concern in Prospect and the corridors where the eastern bridge may go.

You asked for assistance identifying locations which are historical in nature. Two of which there is little doubt as to the historical importance are the farm house owned previously by the Purnell family now located along Rock Hill Road in The Landings Subdivision in Prospect and the slave cemetery located off Wolf Pen Branch Road, also just within the City.

The Purnell farm house is not on the National Register of Historic Places only because the family has never sought such designation. The core of the house is the original log cabin which the Purnell settlers built when they moved to Kentucky in the 18th or 19th Century. I do not have all the particulars, of course.

The slave cemetery is on the Werenskjold property, along with another cemetery, presumably containing the remains of early settlers. I think its historical significance speaks for itself.

I know I have mentioned the Purnell farm house in the past and Mr. and Mrs. Werenskjold have brought the cemeteries to the attention of CTS in the past. It would seem, however, while you are still in a data gathering mode, an appropriate time to check to be sure these properties are, indeed, on your list.

I look forward to working with you.

Sincerely,

Lawrence C. Falk



HARRODS CREEK FIRE DEPARTMENT

8905 U.S. 42

Prospect, KY 40059 (502) 228-1351 (502) 228-1575

February 16, 1999

Mr. John Clements 10000 Shelbyville Road Suite 110 Louisville, Kentucky 40223

Dear Sir,

The Harrods Creek Fire Protection District appreciates being included in the Eastern Jefferson County area work group.

The District Trustees have asked me to outline for you the principal concerns of the district with regard to the proposed bridge. While we are certain that opportunities to express our concerns will be available the unpredictability of our business may dictate that we miss an important meeting due to a fire emergency.

The district is concerned about adequate access to the bridge should the bridge be constructed at the terminus of I-265.

The district is concerned about the bridge creating a new hazardous materials loop around Louisville. If this designation is to be considered adequate features must be built into the bridge to contain runoff from possible hazardous materials spills. In addition provisions should be made to contain oil and fuel laden rain water so that runoff does not pollute the river.

The district is concerned about water for firefighting on the bridge. The district would recommend some type of water supply system with hydrants on the bridge. A dry type system could be considered.

The district will suffer financially as tax revenue from the properties taken for the bridge will cease to exist. Speculation has it that properties immediately adjacent to the area will see a drop in property values which will further diminish fire district income.

I realize that raising these issues now is probably way in advance of the schedule to discuss these challenges but the Harrods Creek Fire Protection District wanted to be on the record as soon as possible.

Very truly yours,

Leonard Heydt, Chief

Harrods Creek Fire Protection District



National Trust for Historic Preservation

1785 Massachusetts Avenue, N.W. Washington, D.C. 20036 (202) 588-6000 / FAX (202) 588-6038 / TTY (202) 588-6200

March 18, 1999

Jesse A. Story Kentucky Division Administrator Federal Highway Administration P.O. Box 536 Frankfort, Kentucky 40602

Art Fendrick Indiana Division Administrator Federal Highway Administration 575 N. Pennsylvania Street, Room 254 Indianapolis, Indiana 46204-1576

John A. Clements, Project Manager Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

Re: Ohio River Bridge(s) Project

Dear Mssrs Story, Fendrick, and Clements,

The National Trust for Historic Preservation has been following for some time now the proposal to build one or two new highway bridges over the Ohio River between Louisville and southeastern Indiana. We understand that the formal environmental review process is now getting underway, and the National Trust would like to participate actively in the process, both by receiving and commenting on documents prepared pursuant to the National Environmental Policy Act, and as a consulting party under Section 106 of the National Historic Preservation Act.

The National Trust for Historic Preservation is a private nonprofit organization chartered by Congress in 1949 to promote public participation in the preservation of our nation's heritage, and to further the historic preservation policy of the United States. See 16 U.S.C. § 468. With the strong support of our 265,000 members, including 7,000 members in Kentucky and Indiana, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government. The National Trust has also been designated by congress as a member of the Advisory Council on Historic Preservation, 16 U.S.C. § 470i(a)(8), which is responsible for overseeing the implementation of Section 106 of the NHPA.

Jesse A. Story Art Fendrick John A. Clements March 18, 1999 Page 2

The National Trust has extensive experience in reviewing transportation projects with adverse effects on historic resources. We have had a long-standing involvement in the development of national policies, and in advocacy and litigation enforcing compliance with federal and state historic preservation laws. Most importantly, however, the National Trust has a long track record of active participation in complex Section 106 consultation matters around the country, and in efforts to resolve transportation controversies through negotiation and mediation, including, for example, the Paris Pike project in Kentucky.

Because of the National Trust's credentials and experience, as well as our national perspective, we believe we can be an important and constructive voice in the review process under NEPA and Section 106. Please include the National Trust in your distribution list for public notices of all upcoming and future meetings, and for the circulation of documents for comment. We would appreciate receiving two separate copies of notices, at the following addresses:

Daniel Carey, Assistant Director Southern Office National Trust for Historic Preservation 456 King Street Charleston, SC 29403 (843) 722-8552 Elizabeth S. Merritt Associate General Counsel National Trust for Historic Preservation 1785 Massachusetts Ave. NW Washington, DC 20036 (202) 588-6026

We look forward to participating as the review process for this project goes forward.

Sincerely,

Elizabeth S. Merritt

Associate General Counsel

cc: Mary Ann Naber, Advisory Council on Historic Preservation

David L. Morgan, KY-SHPO

Larry D. Macklin, IN-SHPO

Curtis A. Wiley, Commissioner, Indiana DOT

James C. Codell, III, Secretary, Kentucky Transportation Cabinet

Meme Sweets Runyon, Executive Director, River Fields

Robert Griffith, Esq., Stites & Harbison

Daniel Carey, SRO-NTHP

40th Anniversary 1ear

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Meme Sweets Runyon

PLANNING & ISSUES MANAGER
Divid F French, ASLA

River Fields, Inc., 643 West Main Street. Suite 200, Louisville, Ky. 40202-2921 • (502) 583-3060 • Fax (502) 583-3285 • E-mail: riverflds@aol.com

DECEMBER 20, 1999

MR. JOHN BALLANTYNE
PROJECT MANAGEMENT ENGINEER
Kentucky Division Office
Federal Highway Administration
330 West Broadway
Frankfort Kentucky 40601

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED

RE:

River Fields, Inc.'s Request for Consulting Party Status

Dear John:

Pursuant to 36 CFR Part 800, River Fields, Inc. requests that it be made a Consulting Party for the Ohio River Bridge Crossings Project at Louisville (your Item No. 5-118.00). River Fields bases this request on its qualification as an additional consulting party pursuant to 36 CFR section 800.2(c)(6) because of the nature of its legal or economic relation to the project and the potentially affected properties and its concern with the project's effects on historic properties. In correspondence attached to this letter, we have also requested that pursuant to 36 CFR section 800.3(f)(3) that the State Historic Preservation Officer consult with you to identify River Fields as a party entitled to be a Consulting Party.

Very truly yours, New Sweets Rows

Meme Sweets Runyon Executive Director

MSR:rwg

Enclosures

cc:

Steve Cecil, INDOT Peter Wolff, KTC

John Clements, CTS



Sierra Club

Greater Louisville Group

MAY 11, 2000

MR JOHN CLEMENTS CTS CONSULTANTS LOUISVILLE, KY

GENTLEMEN:

THE SIERRA CLUB IS CONCERNED ABOUT THE IMPACT ON LOCAL AND REGIONAL AIR QUALITY OF TWO ADDITIONAL BRIDGES, AS WELL AS THE INDUCED GROWTH CREATING MORE SPRAWL. GREATER LOUISVILLE IS ALREADY OUT OF COMPLIANCE ON AIR QUALITY ISSUES. THE EPA IS LOOKING CRITICALLY AT FEDERALLY FUNDED TRANSPORTATION PROJECTS IN AREAS ALREADY LOOKING AT HEALTH RISKS.

I HAVE NOT SEEN COST ANALYSIS FOR A FULLY LOADED BRIDGE, AND AM WONDERING WHETHER THERE WILL BE FUNDS FOR TWO ATTRACTIVE AND HIGH QUALITY BRIDGES. A GREAT DEAL HAS BEEN SPENT ON STUDIES AND IT APPEARS MANY QUESTIONS HAVE NOT BEEN ANSWERED YET.

LAST AND PERHAPS MOST IMPORTANT, WHERE IS THE PLAN FOR MASS TRANSPORTATION THAT WILL SAVE TIME AND IRRITATION, AND PROVIDE MOBILITY FOR THOSE WHO DO NOT DRIVE OR DO NOT OWN A VEHICLE?

SINCERELY.

JOAN'S. LINDOP

GREATER LOUISVILLE SIERRA CLUB

... To explore, enjoy and preserve the nation's forests, waters, wildlife, and wilderness...

Printed on 100% Recycled Paper

July 17, 2000

Mr. John Clements, P.E.
Project Manager, Ohio River Bridges Project
Community Transportation Solutions, Inc.
10000 Shelbyville Rd., Suite 110
Louisville, KY 40223

Dear Mr. Clements:

The Greater Louisville Group of the Sierra Club supports the Coalition for the Advancement of Regional Transportation's (CART) statement of cross river transportation system study needs for a non-automobile based alternatives analysis that embraces travel demand management (TDM), transportation system management (TSM), and expanded transit service (ETS). We are encouraged by CTS's commitment to use the statement and outline of study parameters to conduct a substantive, quantitative analysis of the benefits, costs, and impacts of implementation of these alternatives.

Our endorsement of this analysis should be considered by CTS and the other project proponents (the Federal Highway Administration [FHWA], the Kentucky Transportation Cabinet [KYTC], and Indiana Department of Transportation [INDOT]) in the context of our belief that, no matter how comprehensive the alternatives analysis, the NEPA process for this project is fundamentally flawed pursuant to 40 CFR Section 1500.2(c), unless it expressly and integrally incorporates FHWA quality performance planning pursuant to the agency's "Quality Journey."

We are encouraged about news that CTS will rewrite the Purpose and Needs Statement in light of U.S. Environmental Protection Agency (EPA) and public comments. Quality performance planning mandates that the expression of needs be supported by specific data collected pursuant to well-designed data quality objectives. The current draft Purpose and Needs Statement, for example, cites "cross river congestion" problems as a "need" for action and presents data on general projections of population increases in the regional area over the next 20 years. However, if one were to look solely at the level of service (LOS) data, it seems apparent that the "cross river transportation problem" is a weekday peak-period a.m. southbound/p.m. northbound auto commuter level of service problem at the Kennedy Bridge. Further, without clear identification and basis of "need," it would appear impossible to develop performance goals (such as a particular LOS goal for the weekday peak period) for the proposed action, an essential element of the quality performance planning process. Finally, each alternatives analysis should describe how it will or will not meet the project's quantitative performance goals and consistency with the FHWA's five national strategic programmatic goals.

¹ The NEPA process is ultimately, of course, the FHWA's compliance responsibility.

Returning to CART's proposal, our view is that they have outlined a sound, comprehensive scope of work for CTS to implement, including sensitivity analyses.² We encourage CTS to seek and use the best and most progressive research and resources nationally on TDM, TSM, and ETS, available through, for example:

- The Surface Transportation Policy Project (http://www.transact.org)
- The EPA's Transportation Air Quality (TRAQ) Center (http://www.epa.gov/oms/transp.htm)
- The Center for Transportation and the Environment (university transportation center at North Carolina State University; http://itre.ncsu.edu/cte/cte.html)

We also encourage CTS to assess the ability to use the TRIMARC highway closed circuit video monitoring system as another input to traffic counts and potential origin information. Employer surveys will also need to be specifically conducted to support the TDM and ETS alternatives.

Further, we suggest that CTS take this opportunity to schedule frequent "checkbacks" with CART, the Louisville Group of the Sierra Club, and other interested parties as the non-automobile alternatives (and other alternatives) are analyzed. We suggest that project proponents find creative ways to overcome the traditional NEPA "black box" period, such as holding regularly scheduled alternatives- or issue-focused public workshops.

In closing, we are encouraged by CTS's commitment to a meaningful non-automobile alternatives analysis; we expect the analysis, as well as the rest of the process, to be fundamentally revised to incorporate quality performance planning; and we look forward to participating in any public meetings scheduled for the rewrite of the Purpose and Needs Statement. Please include this correspondence in the administrative record for the proposed action.

Sincerely.

John Hartmann

Chair, Greater Louisville Group

of the Sierra Club

Leslie Elizabeth Barras

Chair, Conservation Committee, Greater

Louisville Group of the Sierra Club

copy: Mr. John Ballantyne, FHWA-KY

² Sensitivity analyses are another component of quality performance planning. For the level and scope of public investment this project entails, decision makers and the public should know the impacts of over- or under-estimation of critical assumptions and inputs to the process (in particular, computer modeling of population projections, traffic forecasting, vehicle miles traveled, and air quality impacts).

³I.e., the term of months after close of public comment on the selection of alternatives when the applicant goes away to complete the technical studies, only to roll out a draft EIS as a "done deal" with limited time for public review and comment.

copy (cont.):

Mr. Jose Sepulveda, FHWA-KY

Mr. John R. Baxter, FHWA-IN

Mr. James Codell, III, Executive Director, KYTC

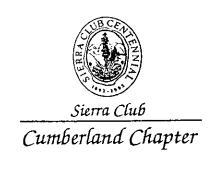
Ms. Cristine Klika, Commissioner, INDOT

Mr. David Coyte, CART

Mr. Jackie Green, CART

Mr. Bob Griffiths, Ms. Meme S. Runyon, Riverfields

Ms. Alice Howell, Chair, Cumberland Chapter, Sierra Club



May 5, 2000

Mr. John Clements Community Transportation Solutions Inc. 10000 Shelbyville Road, Suite 110 Louisville, Ky. 40223

Dear Mr. Clements:

I am writing on behalf of the Cumberland Chapter of Sierra Club, a national environmental organization with more than one-third of its 3500 members in the state of Kentucky residing in Jefferson County and the adjoining counties. Members of the Cumberland Chapter are planning to participate in the public meetings scheduled for May 10 and 11, 2000.

We are concerned about the format established for these"public" meetings as it appears to be designed to limit public discussion of issues which are very important to the community. If you intend to limit public discussion by randomly drawing names of those permitted to speak and then limiting those comments to two minutes, you are not allowing the kind of public input that is required under either the Department of Transportation Act of 1966 or the National Environmental Policy Act. Future "public" meetings should be organized in a manner to facilitate, rather than stifle, public discussion of transportation issues.

Sierra Club members expect to attend and to have an opportunity to speak. I am planning to submit a list of written questions on May 10, as I have no way of knowing if I will be allowed to speak. Since it appears unlikely that any opportunity will be provided for these questions to be answered at the "public" meeting, I hope CTS will send a written response. Please place this letter in the administrative record.

Yours truly,

Butty Bernett

Betsy Bennett

Chapter Conservation Chair

4100 Churchman Avenue P.O. Box 9067 Louisville, KY <\0209-0067

(502) 363-2652 1-800-LUNG-USA Fax: (502) 363-0222

Website: www.kylung.org



June 20, 2000

Mr. John Clements Community Transportation Solutions Inc. 10000 Shelbyville Road Suite 110 Louisville, KY 40223

Dear Mr. Clements:

The American Lung Assosciation of Kentucky endorses full consideration of the Transit Alternative proposed by the Coalition for the Advancement of Regional Transportation (CART) in the Environmental Impact Statement for the Ohio River Bridges Project. We concur that this project has proceeded from a predetermined premise to a forgone conclusion with respect to the building of one or more new bridges. We further believe that it would be a disservice to the residents of Jefferson County and southern Indiana to do anything less than fully explore all possible options to the building of new roadways that encourage automotive travel.

As you are aware, the Environmental Protection Agency (EPA) has designated our metropolitan area as a "moderate" non-attainment area for ozone. A current review by the EPA may result in the area being downgraded to "serious." While the area has struggled to meet the one-hour air quality standard for ozone (and has not yet done so), the federal government has set a new, more stringent eight-hour standard, which will be even more difficult to attain. A big part of the problem is vehicle emissions. Many of the gains in emission reductions made by cleaner vehicles coming from the factory are offset by the increase in vehicle miles traveled. Under the circumstances, it would be unconscionable to build additional traffic generators without giving every consideration to alternatives, which have the potential for serving the area's future transit needs far more judiciously.

The American Lung Association of Kentucky, therefore, urges your consideration of the CART proposal, which calls for a comprehensive review of Travel Demand Management, Transportation System Management and Expanded Transit Service as an alternative to bridge building. We further urge that such a review be conducted with the level of detail as proposed in the CART statement.

When You Can't 3reathe, Nothing Else √latters® The American Lung Association's mission is to prevent lung disease and to promote lung health. Our position on this issue is premised on a belief that our area must do a better job of managing its air resources and that protection of public health should be paramount in decisions that will have a definite health impact for years to come. Thank you for your consideration.

Sincerely,

Carolyn Embry

Director of Environmental Affairs

jhinkle

From:

ilgreen@iglou.com

nt:

Friday, May 26, 2000 7:49 AM

To:

hjclements@aoi.com

Cc:

architerra@win.net

Subject:

CTS/CART meeting

CART & CTS MEETING

Greetings, John.

Please include the following in the administrative record for the Ohio River Bridge(s) project.

In preparation for the CTS/CART meeting (Wednesday, June 7, 8:00am at the CART office, 340 W Chestnut), our many questions follow. Please mail written responses & supporting documentation to:

David Barhorst, CART President, 306 Oread Rd, 40207 David Coyte, 1808 Ekin Ave, New Albany IN, 47150 Jackie Green, 1412 Willow Ave, 40204

CTS & CART can then spend the meeting time in more informed discussion.

anks, John. ...ackie Green CART 451 5732

LIGHT RAIL

What were the parameters and assumptions used when analyzing the Light Rail Alternative?

Exactly where in Indiana did the system go?

What were the build-out assumptions for the analysis? I-65? I-64? I-71? Bridges? Louisville's Light Rail system? S. Indiana Transit System? Spaghetti Junction?

What TDM and TSM impacts were explored?

How was base-line ridership calculated?

Was a feeder bus system included in the analysis?

How many and where were park and ride facilities sited for the analysis?

What were the hours and levels of service in this analysis?

/as there analysis for intra-Indiana use, reduced VMT and the penefits of that?

Exactly which of these assumptions is in place for analysis of

the various bridge options and combinations there-of?

What cost/benefit analysis has been done for the various bridge alternatives?

What cost/benefit analysis has been done for the Light Rail alternative?

Has that C/B Analysis included the impacts of sprawl, a discussion of environmental justice issues, or air quality impacts?

Has the respective impacts of a downtown bridge and Light Rail on urban street congestion been considered?

If so, will CTS provide a copy of this analysis to CART?

What discussions have taken place with TARC for integrating this alternative with the T-2 system?

Has there been an analysis of no bridges with passenger rail service replacing the expansions planned for I-64 and I-71?

Has a cost benefit analysis of the same been conducted?

What CTS conducted projections exist for operational and maintenance costs for LR vs. the proposed bridge with full interstate build-out, with the increased maintenance costs of that required build-out included?

Do those projections include a range of fuel price scenarios from current \$1.50, to \$2.50, and \$5.00 per gallon?

SOCIOECONOMIC STUDIES

Will CTS's socioeconomic studies based on a no new bridge scenario include comprehensive TDM/TSM/expanded transit service measures?

When will this study be conducted?

To whom will this & other socioeconomic studies be delivered?

SPAGHETTI JUNCTION

The discussion of "realignment" of spaghetti junction is based on a need to increase safety. Can safety be increased by reducing the speed of vehicles?

What studies has CTS conducted in relation to the reduction of speed in spaghetti junction?

What studies has CTS done on the increase in noise, exhaust, particulate, etc which will accompany a southward (toward Butchertown) "realignment" of spaghetti junction?

What studies has CTS done on the increase in noise, exhaust, particulate, with a TDM/TSM/expanded transit service solution instead of a southward "realignment" of spaghetti junction?

Much has been made of reclaiming industrial land on the south side of spaghetti junction for the realignment, thus freeing the space currently occupied by spaghetti junction for enhancing the terfront. What studies did CTS conduct in conjuction with . DM/TSM/expanded transit service on reclaiming the industrial land on the south side of spaghetti junction for park space even closer to Butchertown & acting as a buffer between Butchertown & spaghetti junction?

TARC

Previous conversation with CTS suggested that it is/was TARC's responsibility to demonstrate a feasible fixed service (light rail) alternative to continued reliance upon auto/truck traffic. Is it TARC or CTS's responsibility to conduct this study?

Is it TARC or CTS's responsibility to conduct studies of comprehensive TDM/TSM/expanded transit service solutions as alternatives to the regions dependence upon auto/truck traffic?

What TARC info has been incorporated in CTS & supporting studies?

At an Area Work Group meeting CTS stated that TARC is not interested in pushing a larger light rail agenda. Does CTS stand by that statement?

ARC (paraphrasing Barry Barker as understood by Jackie Green) ave CTS a statement asking for considerations on mitigation in construction phase. What was CTS's response? What assumptions underlay the request & response?

TDM/TSM/EXPANDED TRANSIT SERVICE

Is a study of a TDM/TSM/expanded transit service on equal footing, given equal time, attention & resources with a study of motor vehicle traffic enhancement system?

Did CTS consider a scenario which includes:

- * enhanced & comprehensive regional transit systems (bus only, or bus & light rail combination)
- * building no more lanes for private motorized vehicles
- * designating lanes for buses at higher speeds than lanes to which cars are limited
- * comprehenseive regional reduction of speed limits for private motorized vehicles
- * reduction of speed limits in heavily congested areas to 10 MPH (average speed of commuting cyclist), timing lights to that speed
- * make streets, sidewalks, & lanes pedestrian & cycling friendly
- * progressive employee alternative transport commuting program?

Why has the study focused on building additional vs increasing ne capacity of existing transportation systems?

What % of CTS budget has been/will be spent on TDM/TSM/expanded transit service?

What % of CTS study time has been/will be spent on TDM/TSM/expanded transit service?

Why have CTS public response forms failed to include TDM/TSM/expanded transit service?

Are the TDM/TSM/expanded transit service studies holistic or isolated/compartmentalized?

Has CTS conducted comprehensive cost analyses on TDM/TSM/expanded transit service?

What are the parameters & results of these studies?

What are the results of CTS's comprehensive analyses on TDM/TSM/expanded transit service relative to emissions, particulate, road runoff, flooding, ...?

How do the results of CTS's comprehensive analyses on TDM/TSM/expanded transit service relative to emissions, particulate, road runoff, flooding, ... compare to the results of CTS's comprehensive analyses on automotive impacts on emissions, particulate, road runoff, flooding, ...??

What CTS studies have focused on the existing rail lines to New Albany, Charlestown & Scottsburg?

Transit ridership figures used in existing studies were based on what assumptions?

Were transit ridership figures based on dedicated bus lanes on -64, I-65, I-71?

Will CTS conduct comparative TDM/TSM/expanded transit service vs automotive analysis on land use & suburban sprawl?

Will CTS conduct comparative TDM/TSM/expanded transit service vs automotive analysis on environmental justice issues?

Executive Order, 1994; Dept of Transportation, 1997; Federal Highway Administration, 1998?

Environmental Justice concerns the "fair distribution of the benefits & burdens of infrastructure improvements" relative to low income & minority populations.

Will CTS conduct comparative TDM/TSM/expanded transit service vs automotive studies on the transportation needs of the young, the elderly, the physically handicapped?

Will CTS conduct comparative TDM/TSM/expanded transit service vs automotive studies on the benefits & burdens to non-auto drivers?

Will CTS conduct comparative TDM/TSM/expanded transit service vs automotive studies on the benefits & burdens to the west end?

When asked: "Why are we now evaluating only highway options?", CTS responded: "Light rail alone will not solve our transportation problems."

When asked: "Will any of the highway proposals alone solve our

transportation problems?", CTS responded: "No." Why does the failure of one result in exclusion while the failure of another result in inclusion?

Will CTS define how the light rail alternative fails this criteria?

Will CTS define why/how the other alternatives which have been carried forward pass this criteria?

What CTS studies were conducted on taking light rail into IN (headed toward Charlestown, Scottsburg & New Albany) & extending the light rail significantly east & westward in KY?

What figures were used to determine that mass transportation across the river is not needed?

Is CTS willing to re-evaluate light rail, enhanced bus systems & other transportation methods & measures? (By the time the April 2000 Area Work Groups took place CTS had excluded light rail as an alternative. The Worksheets distributed to Meeting participants addressed ONLY highway alignments - 15 of them. No light rail alternatives were listed. Eleven large (3'x 6' & larger) maps lined the perimeter of the rooms. None of the maps featured light rail in any way. The PowerPoint presentation listed "Possible Options", none of which ralt with light rail.

nen asked: "Why did the presentation not list as "Possible Options" light rail?" CTS answered: "Because we are now evaluating only highway options.")

What suggestions does CTS have to help secure a redrafting of the Purpose & Needs Statement which includes:

- * more efficient use of existing transportation systems, (TDM/TSM/expanded transit service),
- * clean air.
- * liveable communities,
- * mobility for the elderly (look at the demographics), young handicapped, poor & the growing number of those who elect not to drive realizing the automotive transport model is unsustainable,
- * addressing the justice issue of our rate of consumption,
- * viable, thriving central cities,
- * a reduction of energy dependencies,
- * preservation of agricultural & wild spaces,
- * clean water,
- * healthy permeable surfaces to absorb rain?

I-64

Does the KIPDA I-64 plan include 6 lanes?

oes the I-64 study end btwn Payne & Melwood?

What are current capacities at the terminating site?

What are maximum future capacities just west of the terminating

site?

5 1 1 1 L

What will happen when increased traffic hits the I-64 tunnels?

1-65

Did the I-65 study originally end at Jefferson?

Has the I-65 study been extended to Chestnut (1 block n of Broadway)?

What are current capacities at the terminating site?

What are maximum future capacities just north of the terminating site?

CTS is evaluating what happens at St Catherine/Kentucky/UofL when

increased auto/truck volume reaches that area.

If not, what does CTS speculate will happen at that site?

1-71

As a result of another downtown automotive bridge, what projected increases in traffic & lanes are projected on I-71 between downtown & 2-65?

END OF DOCUMENT

---- Forwarded by Kay Stewart/Louisville/DoeAnderson on 12/07/00 03:08

jlgreen@iglou

.com

To:

kstewart@doeanderson.com,

NMARSHALL@RSGINC.COM, David

Barhorst

12/07/00

<architerra@win.net>, David

Coyte

09:32 AM

<dcoyte@juno.com>,

memeatrf@aol.com

cc:

Subject: CTS ANALYSIS OF

MULTIMODAL SYSTEM

KAY, JOHN, MORE QUESTIONS / THOUGHTS ON THE CTS ANALYSIS OF THE MULTIMODAL SYSTEM. PLEASE INCLUDE IN PUBLIC RECORD. THANK YOU JLG

CTS COVER LETTER OF 28 NOV 2000 - JOHN CLEMENTS TO JACKIE GREEN

JOHN: "FINALLY, IN YOUR ORIGINAL REQUEST CART IDENTIFIED A NUMBER OF ISSUES THAT ARE BEYOND THE SCOPE OF THE OHIO RIVER BRIDGES PROJECT. THOSE ISSUES INCLUDED A LARTGER REGIONAL COMMITMENT TO TSM, TDM, & ENHANCED TRANSIT; AN EXPANDED EAST-WEST RAIL NETWORK...I-64...ROADWAY WIDENING...I-65.... THE OHIO RIVER BRIDGES PROJECT MUST FOCUS ITS EFFORTS ON POTENTIAL SOLUTIONS TO THE METROPOLITAN AREA'S IDENTIFIED CROSS-RIVER MOBILITY NEEDS."

CTS HAS BEEN TOLD BY IT'S CLIENTS TO TAKE INTO CONSIDERATION I-65 SOUTH OF DOWNTOWN. SO HOW IS APPLYING MULTIMODAL SOLUTIONS TO THIS SAME AREA BEYOND SCOPE?

CTS IS DESIGNING RAMPS OFF I-64 IN THE KENNEDY INTERCHANGE, THRU MELLWOOD, OFF I-71 AT ZORN AVE & ON TO BROWNSBORO RD. SO HOW IS AN EAST-WEST RAIL IN THIS SAME AREA BEYOND SCOPE?

SEEMS SCOPE IS DEFINED NARROWLY FROM A MULTIMODAL PERSPECTIVE & WIDELY FROM AN AUTOMOTIVE PERSPECTIVE.

jlgreen@iglou

.com

To:

kstewart@doeanderson.com

cc: David Barhorst

<architerra@win.net>,

12/07/00 06:37 AM memeatrf@aol.com

Subject: HUD LETTER

KAY,

EUGENE GOLDFARB OF HUD, IN HIS LETTER DATED 12 JAN 1999 TO STEVE CECIL OF IN DOT, SAID EPA'S REGIONAL SPRAWL COMMITTEE SHOULD BE CONTACTED IIN THIS STUDY. WHAT HAS BEEN EPA'S REGIONAL SPRAWL COMMITTEE'S ROLE BEEN IN THE STUDY?

THANK YOU.

Jackie Green 1412 Willow Ave #51 Louisville KY 40204 451 5732 485 0042

KAY,

LOOKING FOR CLARIFICATION ON PURPOSE & NEED, PAGE 6, SENTENCE:

"CONSIDERATION OF POTENTIAL SOLUTIONS TO ALL OF THE CROSS-RIVER MOBILITY NEEDS BETWEEN JEFF CNTY & CLARK CNTY IN ONE EIS IS CONSISTENT WITH THE REQUIREMENTS OF NEPA."

IS THIS THE SAME AS:

"NEPA REQUIRES CONSIDERATION OF POTENTIAL SOLUTIONS TO ALL OF THE CROSS-RIVER NEEDS" ?

PLEASE INCLUDE THIS, AS OTHER COMMUNICATIONS, IN THE PUBLIC RECORD.

THANK YOU.

Jackie Green 1412 Willow Ave #51 Louisville KY 40204 451 5732 485 0042

Please be sure this is included in the administrative record as requested.

Thanks.

---- Forwarded by Kay Stewart/Louisville/DoeAnderson on 12/19/00 04:30 PM

jlgreen@iglou

.com

To: hjclements@aol.com, kstewart@doeanderson.com,

David Barhorst

12/19/00

<architerra@win.net>,

dcoyte@juno.com,

10:10 AM

BZalph@co.jefferson.ky.us,

"Hobin, Geoffrey"

<GHobin@ridetarc.org>,

inarayana@louky.org,

lebarras@usa.com

cc:

Subject:

highway funding

corrective

Corrective to info I was given at recent the Bridges Study Area Working Group meeting.

I was told that highways are 100% funded by gas tax & users fees from federal & state revenue sources.

www.fhwa.dot.gov/ohim states that local government (county, city) funds (1996 - most recent data on site) 26.4% of highway funding. Thanks, Barry.

What ability do counties & cities have to tax gas & tires?
Who is going to pay for the new 600 car parking garage at First & Main?

Who pays the police bill for the county's 150 & the city's 75 auto accidents of yesterday? Let's count the real costs.

Please include in public comment records. Thanks, Kay.

Jackie Green

"rom:

FitzKRC@aol.com

nt:

Tuesday, June 20, 2000 4:34 PM

To:

HJCLEMENTS@aol.com

Subject:

Re: CART/CTS

Dear John

I received a copy of your response to Jackie Green. What CART had asked is that you consider carrying forward for full analysis, a separate transit alternative (not merely rail). They have presented that to you with the understanding that you will recommend and KYTC/INDOT will decide whether to include it as one of the alternatives to be fully assessed in the DEIS.

I understand your response to mean that there is a threshold screening process that will be used to determine whether to carry forward the proposed alternative. Please identify that process and the standards against which this proposed alternative will be measured, who will be conducting that screening process, and the timeframe by which you anticipate it being completed.

Thank you in advance.

Tom FitzGerald

. Resources Council

11 July 2000

John Clements, Consultant Community Transportation Solutions 10,000 Shelbyville Rd Louisville, KY 40223

Re: Ohio River Bridges Project

CART has drafted a bridges study alternative, and we understand that CTS has agreed to study this proposal with the objective of carrying this alternative forward.

CELC is very supportive of a multimodal solution to Greater Louisville's transportation dilemma, as we believe this will further our goals of environmental stewardship, livable communities and justice. We believe there should be efficient and attractive transportation for those who do not drive a car. There are many who are too young, too old, too poor or disabled and they need to be counted! A really user-friendly system would attract many who are now driving.

We applaud the recent CTS agreement to consider that there may be another viable solution. This is looking like the citizen consideration and participation we have been hoping for. We look forward to seeing the study as new modeling is presented.

Joan Lindop

Citizens Environmental Leadership Coalition

From:

EarthSave - Louisville Chapter [louisville@earthsave.org]

ıt:

Tuesday, June 20, 2000 5:37 PM

To:

hjclements@aol.com

Cc:

jlgreen@iglou.com

Subject:

Transit/Travel Demand/Travel Management Alternatives



Dear John,

I am writing on behalf of the members and Board of Directors of the Louisville Chapter of EarthSave to urge you to give full and fair consideration to

the Transit/Travel Demand/Travel Management Alternatives submitted to CTS by CART.

We agree with the unfortunate sentiment shared by many sustainable transportation activists that the EIS process has prejudged the outcome of the analysis of alternatives by framing the assessment of alternatives in terms of "where and what to build across the Ohio River," and has cast serious doubt on the credibility and sincerity of the consideration of alternatives that is the heart of the NEPA process.

We join CART in recommending that the proposed study of alternatives be carried forward for detailed evaluation and public comment.

POKAGON BAND OF POTAWATOMI INDIANS

EDUCATION DEPARTMENT

P.O. Box 180, 901 Spruce Street, Dowagiac, MI 49047

Telephone 616-782-0887 / FAX 616-782-0985

August 9, 2000

Jeffery Vlach Deputy Environmental Analysis Manager Community Transportation Solutions Inc. 8126 Castleton Road Indianapolis, Indiana 46250

RE: Louisville- Southern Indiana Ohio River Bridges

Dear Mr. Vlach;

This letter is in response to the two new placements of bridges across the Ohio River. With understanding the overwhelming growth of society and the need to grow accordingly, the Pokagon Band of Potawatomi Indians is concerned with this project.

The Ohio River Valley was an area widely used by many different Tribes throughout history. It is rich in beauty, wildlife and history. We hope that all of the impacts to this area are weighed thoroughly. We encourage plans to lessen all impacts. We insist you use the utmost caution and sensitivity when disturbing all aspects of this ecosystem.

The loss of our Natural Resources is of great concern to the Pokagon Band of Potawatomi, but we understand the need to accommodate society growth. We encourage this project to continue with the expectation that this Tribe will be notified of all culturally relevant materials found during construction. These materials would consist of burials and associated objects, evidence of village sites, hunting encampments, or any material that is associated with Native American culture.

To identify specific areas of concern we would have to visit the area, and due to geographic location of this project it is not possible to visit the site at this time. We recommend that all areas along the bank of the river be viewed as possible burial areas. We are against the destruction of any endangered species for any reason, so be aware of animal life and plant life that may be impacted.

Please send all correspondence to the contact name and address provided. We look forward to creating a positive working relationship with you and your associates.

Singerely;

Jefferson Ballew IV

Repatriation Consultant



October 26, 2000

Community Transportation Solutions Inc.
Attn: Timothy J. Talaga, E.I.T
Ten Thousand Building
Suite 110
Shelbyville Road
Louisville, KY 40223

RE: LOUISVILLE-SOUTHERN INDIANA OHIO RIVER BRIDGE PROJ.

Dear Mr. Talaga;

I am writing in reference to your letter dated September 26, 2000, and I apologize for taking so long to get back with you on this. Unfortunately, I still don't have the answers that you need. First of all, I don't know if the Power Company will be setting new poles or if they will be going underground. If they set new poles to accommodate this new bridge, it's just a matter of transferring to the new poles and the cost will be minimal if any at all. If we were required to go underground, the cost would be substantial. We currently have fiber in several locations and that will be the biggest cost you may incur.

Again, I am sorry for not being able to give you a cost, but without the additional information I need, I can't begin to get started. Attached you will find prints which indicate where our plant is in relationship to where the new bridge will be going.

If you find you need further information or have any questions or comments please feel free to contact me at (812) 288-2746 Ext: 3020.

Sincerely.

LeRoy Wilson Plant Manager

LW/if

Enclosure: Prints

3408 Industrial Parkway

Jeffersonville, IN 47130

812 - 218 - 6000

812 • 288 • 2818 FAX

An Equal Opportunity Employer



November 3, 2000

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223 GENERAL OFFICE 500 WILLINGER LANE JEFFERSONVILLE, IN 47130 (812) 288-0940 FAX (812) 288-4977

Re: Louisville-Southern Indiana Ohio River Bridges Project

Dear Mr. Talaga:

With reference to your letter dated October 3, 2000, I have attached copies of the highlighted maps with locations numbered (1) through (5). Parcels (1) & (2) are owned by CSX Transportation Corporation. Parcels (3) & (4) are owned by Colgate Palmolive Company and PQ Corporation respectively. Parcel (5) is owned by both the City of Jeffersonville and L&I Railroad. L&I operates over the portion owned by the City by way of a City Ordinance.

L&I's clearance for overhead structures is a minimum of 25' from the top of rail. Nominal minimum horizontal clearance is 8' 9" with any curvature increasing that minimum horizontal clearance. A copy of our CE 4, 6 & 8 are included for your reference. These documents relate to overhead and subsurface installations on the railroad. Structures are handled on an individual basis.

Prior to our purchase of the rail line Conrail granted easements to both Qwest and ATT for fiber optic cables that are buried on either side of our main track. In addition, L&I has permitted the installation of a fiber optic line and cable TV line under its facility and parallel to Montgomery Street. L&I will not provide any verification of right-of-way limits without a reimbursement agreement to cover our costs of researching same.

There are no future plans to abandon any of our facilities in Jeffersonville. We do however, have plans to significantly upgrade our Express Facility north of Stansifer Avenue in the near future.

I trust that this information satisfies the questions posed in your letter. If not, please let me know and I will try to secure that additional information at my earliest convenience. Also, please keep us apprised of bridge developments relative to our railroad.

Sincerely,

John K. Secor President

C0010232



550 SOUTH THIRD STREET • LOUISVILLE, KENTUCKY 40202

TEL 502-569-3600 FAX 502-569-0815

October 25, 2000

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, Kentucky 40223

RE: Water Facilities Relocation
Ohio River Bridges Project for Louisville – Southern Indiana
Preliminary Design Stage

Dear Mr. Talaga:

Per your request to Mr. Dennis Pike of LWC on September 26, 2000, we have prepared a rough estimation of costs based on CTS's opinion of the conflicts between the above-referenced project and the existing LWC water facilities referencing the following CTS drawings:

> Ohio River Bridges Project, Prepared by CTS for Louisville Water Company, Sheets D17b, D18, D9a, E11A, E16A, E16B, E17, E18, and E2A, Schematic Plan Sheets, not dated.

Due to such preliminary drawings, our review of the subject project was limited to your opinions and identification of potential conflicts with our existing facilities. Please see the following regarding this review:

❖ General Comments

The attached cost estimate utilizes CTS's opinions of the potential conflicts with the bridge work for the identified length of water main only. The preliminary cost estimate does not include temporary or permanent service and fire protection work (domestic and commercial), significant or unusual excavation or restoration to the pavement, ground or structures, environmental or site-specific issues, negotiating and obtaining easements, significant traffic control or detour routing, or special pipe manufacturing, scheduling or ordering. Therefore, in preparing the estimate, I included a 25% "unknowns" contingency to allow for unforeseen design.

Most of the LWC water facilities are located in public road right-of-ways, however, some facilities are located in easements. Please see the enclosed pipeline study maps for the LWC easements in question. When needed, I can obtain a copy of the deed for your use.

LWC Riverbank Infiltration Program

Please see the attached memo, dated October 16, 2000 from Ms. Kay Ball (LWC), regarding the potentially significant impacts and conflicts the Ohio River Bridges Project could have with the LWC's current plans for a Riverbank Infiltration Program and all associated structures and environmentally sensitive areas. If you have specific questions regarding the Riverbank Infiltration Program, please contact Ms. Kay Ball at 569-3600, extension 2448.

Transmission Expansion

The LWC transmission main expansion program is planning several projects and improvements within and near the Ohio River Bridges project area. Please see the attached drawing showing such planned work. If you have specific questions regarding the transmission expansion plans, please contact Mr. Ted Niemann at 569-3661.

Thank you for including the Louisville Water Company during the preliminary design stages and continue to keep us informed of your progress. A more complete review will follow your submittal of design drawings showing existing and proposed infrastructure. If you should have any questions regarding this project, please contact me by telephone at (502) 569-3600, extension 2312, by fax at (502) 569-3691, or by email at bpotts@lwcky.com.

Sincerely,

LOUISVILLE WATER COMPANY

R. Bart Potts, E.I.T.

K. Battlette

Project Manager, Relocations

Attachments: Preliminary Cost Estimate

Memo - Riverbank Infiltration Program (Kay Ball)

Drawings - Proposed Transmission Expansion Program (Ted Niemann)

Enclosures: LWC Pipeline Study Map

c Pete Wolff, KTC
Steve Cooper, Don McKay, Ralph McCord, LWC
Erika Nelson, Ted Niemann, Kay Ball, LWC
Project File



550 SOUTH THIRD STREET • LOUISVILLE, KENTUCKY 40202

TEL 502-569-3600 FAX 502-569-0815

February 5, 2001

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, Kentucky 40223

RE: Water Facilities Relocation
Ohio River Bridges Project for Louisville – Southern Indiana
Preliminary Design Stage for "B" Alternative Route

Dear Mr. Talaga:

Per your request to LWC on January 18, 2001, we have prepared a rough estimation of costs based on CTS's opinion of the conflicts between the above-referenced project ("B" Alternative) and the existing LWC water facilities referencing the following CTS drawings:

> Ohio River Bridges Project, Prepared by CTS for Louisville Water Company, Sheet B1, Schematic Plan Sheets, not dated.

Due to such preliminary drawings, our review of the subject project was limited to your opinions and identification of potential conflicts with our existing facilities. Please see the following regarding this review:

❖ General Comments

The attached cost estimate utilizes CTS's opinions of the potential conflicts with the bridge work for the identified length of water main only. The preliminary cost estimate does not include temporary or permanent service and fire protection work (domestic and commercial), significant or unusual excavation or restoration to the pavement, ground or structures, environmental or site-specific issues, negotiating and obtaining easements, significant traffic control or detour routing, or special pipe manufacturing, scheduling or ordering. Therefore, in preparing the estimate, I included a 25% "unknowns" contingency to allow for unforeseen design.

❖ Easements and Right-of-Way

Please see the enclosed Sheet B-1 with CTS's highlighted areas and with our notes pertaining to LWC Easement numbers (e.g. #1234) or public right-of-way (R/W) designations. When needed, I can obtain a copy of each deed for your use.

County Wide Extension Program

The County Wide Extension Program (CWEP) has a 12-inch ductile iron water main currently being constructed on the south side of the roadway of Upper River Road, between River Edge Road and Woolside Road. See attached LWC Project 96-729 project plans. CWEP and LWC Planning has also suggested that future development is possible along River Road, mainly east towards Harrods Creek, within the next 5-10 years. Please contact CWEP Process Owner, Alan Arbuckle, at 569-3609 for more information.

* Transmission Expansion

The LWC transmission main expansion program is planning on installing a new transmission main (16" up to possible 36") from BE Payne water filtration and treatment plant to Wolf Penn Branch Road, and also up-sizing the existing 6" main in River Road to a 12" water main. If you have specific questions regarding the transmission expansion plans, please contact Mr. Ted Niemann at 569-3661.

Thank you for including the Louisville Water Company during the preliminary design stages and continue to keep us informed of your progress. A more complete review will follow your submittal of design drawings showing existing and proposed infrastructure. If you should have any questions regarding this project, please contact me by telephone at (502) 569-3600, extension 2312, by fax at (502) 569-3691, or by email at bpotts@lwcky.com.

Sincerely,

LOUISVILLE WATER COMPANY

R. Bart Potts, E.I.T.

Project Manager, Relocations

Attachments: Preliminary Cost Estimate (Alternate "B" only)

Drawings with CTS highlights & LWC Easement numbers or R/W marks Drawings - CWEP 12" DIWM on Upper River Road (Alan Arbuckle)

LWC Pipeline and Service Study Maps Enclosures:

Pete Wolff, KTC C: Erika Nelson LWC Project File



MEMORANDUM

Louisville Water Company

October 16, 2000

To: Erica Nelson

From: Kay Ball -

Re: Ohio River Bridges Project
Potential Conflicts Riverbank Infiltration Program

In response to the September 28 memo from Dennis Pike regarding the installation of Ohio River bridge sites, I have found the below listed conflicts in Route E2A, E17 and E18.

Final design of Project 99-402, Phase II Riverbank Infiltration is underway which will include the installation of two (2) additional collector wells connected by a hard rock tunnel approximately 150 below grade. This project is to be installed on the B.E. Payne property adjacent to the Ohio River (see attached). Route EZA is in the direct path of the proposed caisson and laterals as well as the proposed raw water line from the well pumphouse. The proposed 60-inch water line is to be installed between lagoon #3 and Mayfair Avenue and connect at the basins.

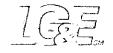
The Riverbank Infiltration Program utilizes the natural sands and gravels of the Louisville Aquifer to filter the water from the Ohio River before it is pumped to the plant. We currently have one collector well operating at the B.E. Payne property that is supplying approximately 20 MGD or half the total supply to our plant. With completion of Phase II the source supply of the B.E. Payne plant will be 100% ground water.

We are currently establishing the Wellhead Protection (WHP) Area that will be included in the WHP Program as administered by the Groundwater Branch of the Kentucky Division of Water. The wellhead protection area will include bridge routes E2A, E17 and E18 as well as E16A and E16B. Any construction or disturbance to the natural aquifer in the vicinity of the wells and collector laterals has potential to negatively affect the quality and quantity of water supply coming from the aquifer in the area.

Furthermore, each of the three routes E2A, E17 and E18 show direct conflict to existing sludge lagoon #3 and sludge lagoon #4. These sludge lagoons are utilized for both the

Crescent Hill Water Treatment Plant and the B.E. Payne plant and are vital to our treatment process. Removal or elimination of any or part of the lagoons will require replacement in like size/kind in the vicinity of our plant. These are major conflicts that were not listed on the compilation from Community Transportation Solutions, Inc dated September 26, 2000.

I trust that this will be forwarded along with other concerns of LWC. Please do not hesitate to call me if we need to explore this in greater detail.



Louisville Gas and Electric Company 820 West Broadway P.O. Box 32020 Louisville, Kentucky 40232

November 27, 2000

Mr. Timothy J. Talaga Community Transportation Solutions Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

Dear Mr. Talaga:

LG&E has reviewed the information that you provided regarding the potential areas of conflict for both gas and electric facilities. Listed below is a summary of gas facilities that may need to be relocated and an order of magnitude estimate.

Drawing No.	Conflict	Estimate
D 17b	775' of 16" gas main, 500' of 20" gas main	\$175,000
	And 400' of 8" gas main.	
D18	757' of 16" gas main, 500' of 20" gas main,	\$245,000
A part	400' of 8" gas main, and 700' of 12" gas main.	
E 11A	1,500' of 4" gas main, 150' of 2" gas main,	\$60,000
	200' of 12" gas main, and 450' of 8" gas main.	
E 16A	550' of 12" gas main, and 450' of 8" gas main.	\$77,500
E 16B	500' of 12" gas main, and 2,150' of 8" gas main.	\$130,000
E 17	450' of 8" gas main, and 500' of 12" gas main.	\$72,500
E 18	600' of 2" gas main, 450' of 12" gas main, and	\$110,000
	1,000' of 6" gas main.	
E 2A	450' of 12" gas main, 800' of 4" gas main,	\$125,000
	1,000' of 6" gas main, and 100' of 2" gas main.	
D 18	650' of 20" gas main, 755' of 16" gas main,	\$320,000
2 14	700' of 12" gas main, 1,250' of 6" gas main, and	
	600' of 4" gas main.	
D 9A	150' of 4" gas main.	\$6000

The impact on LG&E's electric facilities is more extensive and the likelihood of relocating these facilities is not very feasible. Please contact Mr. Jon Krebs to discuss and review the impact on LG&E's electric facilities. Mr. Krebs can be reached at (502) 627-3222. If you have ant further questions regarding LG&E gas facilities please contact me at (502) 627-2433.

Sincerely,

Joseph Ryan

Manager, Gas Engineering

Louisville Gas & Electric Company

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Louisville Gas and Electric Company 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

December 29, 2000

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions Inc. Ten Thousand Building Suite 110 Shelbyville Road Louisville, Kentucky 40223

Re: Ohio River Bridges Project

Dear Mr. Talaga:

On behalf of Joe Ryan and L.G.& E. the following information you requested is as follows. The question was gas conflicts on public versus private easement on proposed plan D18. Listed below is a cost summary of gas facilities that may be involved based on plans supplied.

757' of 16 inch gas main private easement Est.cost \$87055.00 500' of 20 inch gas main private easement Est.cost \$62500.00 700' of 12 inch gas main private easement Est.cost \$70000.00 400' of 8 inch gas main public right of way (L.G.&E cost)

Total \$214,110.00

The estimate is based on worse case scenario. I hope that this information will be of help. If I can be of further assistance please contact this office at 364-8765.

Sincerely,

D. W. Cornetet

Gas Design & Relocation Division

500 S. 13 Th. Street

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Louisville Gas and Electric Company 820 West Broadway P.O. Box 32020 Louisville, Kentucky 40232

January 30, 2001

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions Inc. Ten Thousand Building Suite 110 Shelbyville Road Louisville, KY 40223

Re: Ohio River Bridges Project

Dear Mr. Talaga:

I hope the information below is what you need.

Sheet - B1

- Relocate tower line with 2 circuit of 138kV and 2 circuit of 69kV
 - West of Indian Hills Trail
 - Install underground
 - Is in private easement
 - 3.5 million
- Relocate 12kV primary
 - Between Indian Hills Trail and Blankenbaker Lane
 - Install underground \$ 400,000
 - If it can be relocate overhead \$ 128,000
 - Is in private easement
- Relocate 12kV primary
 - Rudy Lane area north of US 42
 - Install underground \$ 250,000
 - If it can be relocated overhead \$ 75,000
 - Is in private easement

Match Sheet

- Relocate 12kV West side 7200v on East side
 - Between US 42 and Westport Road
 - Install underground \$ 250,000
 - If it can relocated overhead \$ 100,000
 - Is in private easement

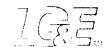
- Relocate tower line with 2 circuits of 138kV and 2 circuits of 69kV
 - Crosses the Watterson X-Way just South of Westport Road
 - Should not need to be relocated
 - Is in private easement
 - If installed underground 2 million

Feel free to give me a call at 627-3222 if you have any questions.

Sincerely,

Jon Krebs

Project Manager



Louisville Gas and Electric Company 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

February 21, 2001

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions Inc. Ten Thousand Building Suite 110 Shelbyville Road Louisville, Kentucky 40223

Re: Ohio River Bridges Project (B) alternative

Dear Mr. Talaga:

Enclosed is a copy of our gas facilities maps. After review of the proposed construction plans it appears that a conflict may exist in the area highlighted in green.

The following is a rough estimated cost.

1970' of 2 inch gas main private easement est. (cost \$49,250)

250' of 8 inch gas main public right of way (LG&E \$12,500) 950' of 4 inch gas main public right of way (LG&E \$8,750)

975' of 2 inch gas main public right of way (LG&E \$24,375)

The estimate is based on worse case scenario. I hope that this information will be of help. If I can be of further assistance please contact this office at 364-8765.

Sincerely,

D. W. Cornetet

Gas Design & Relocation Division

500 S. 13 Th. Street

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BellSouth Telecommunications, Inc.

December 4, 2000

Mr. Tim Talaga Community Transportation Solutions Louisville, KY 40223

Re: Bridge construction utility relocation estimates.

Dear Mr. Talaga:

Please find enclosed the requested estimates for the relocation of Bellsouth facilities in conjunction with the construction of the downtown bridge. All costs are approximate. Please feel free to contact me if we can be of further assistance.

Sincerely,

John Clark Sanders Project Manager

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Indiana-American Water Company, Inc.

P.O. Box 570 · Greenwood, Indiana 46142-0570 · (317) 885-2400 · (317) 885-2406 or (317) 885-2431 FAX

December 1, 2000

Mr. Timothy J. Talaga, E.I.T. Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

RE:

Louisville - Southern Indiana

Ohio River Bridges Project

Environmental Impact Statement/Preliminary Design

Dear Mr. Talaga:

This letter is in response to your letter to Mr. Rodger D. Maynard dated October 9, 2000 (copy enclosed). I have reviewed your letter and attachments and have prepared the following response to your questions:

Station	Size (diameter)	Length (meters)	Cost to Relocate*
D101, 21+740	12"	240	\$125,000
D101, 10+800	8"	280	\$130,000
D105, 11+300	12"	240	\$125,000

^{*} cost is rough and approximate based on unit costs of similar projects. No detailed cost estimating has been completed.

The above areas are in public right-of-way. No projects are planned for the segments identified above in the next five (5) years.

If you have any questions or comments please contact me by phone at 317 / 885-2445 or by fax at 317 / 885-2406 or by e-mail at tnitza@amwater.com.

Sincerely,

INDIANA-AMERICAN WATER COMPANY, INC.

Thomas T. Nitza, Jr. Operations Engineer

An American Water System Company

"Dedicated to Quality Service"

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2520 Lincoln Drive PO Box 2337 Clarksville, IN 47131-2337

February 5, 2001

Ohio River Bridges Project Environmental Impact Study

Mr. Timothy Talaga Community Transportation Solutions, Inc. Ten Thousand Bldg., Suite 110 Shelbyville Road Louisville, Kentucky 40223

Dear Mr. Talaga:

Enclosed is an estimated natural gas line relocation cost for the preliminary <u>"B" alternative</u> bridge route proposal that you had provided to us. Included with the cost estimate is your map with our gas line facilities marked on it and copies of our gas distribution maps in this area. We have identified all the potential road crossing conflicts and indicated the approximate gas piping replacement or retirement needed on your map plan. The following is a cost summary of the plan:

PLAN "B" Alternative - Total Estimated Relocation Cost: \$168,866.00

- Relocate parallel 100m(328') of 16" Stl. gas trans. main & 100m(328') of 12" Stl. gas trans. main @ Sta. #11+540 (Port Road)— in private easement <u>Est. Cost: \$116,826.00</u>
- Relocate 100m(328') of 8" Stl. gas trans. main @ Sta. #11+700 (Port Road)— in private easement Est. Cost: \$24,400.00
- Relocate 100m(328') of 6" Pl. gas distr. main @ Sta. #13+000 (Middle Road) in private easement Est. Cost: \$16,580.00
- Retire 340m(1,115') of 2" Pl. gas distr. main between Sta. #14+660 to #14+920 (Bittersweet Road) in public R/W Est. Cost: \$1,500.00
- Relocate 100m(328') of 4" Pl. gas distr. main @ Sta. #15+000 (Utica Road) in public RW –
 Est. Cost: \$9,560.00

This utility relocation cost estimate is a preliminary projection based on very limited information. Indiana Gas reserves the right to modify or adjust the relocation cost as more definitive plans are prepared. As for any future improvements impacting these designs, we do not have any immediate distribution improvements planned in this area at this time. I hope this information will assist you in your future planning. If you have any questions on this matter, please contact me at 812-948-4954 or e-mail at pschroeder@vectren.com.

Sincerely,

Paul J. Schroeder Engineering Coordinator Clarksville Region

Encl.

CC: K. Dugan B. Rogge file

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INDOT - STATE AGENCY COORDINATION MEETING OF FEBRUARY 10, 1999

INDOT – STATE AGENCY COORDINATION MEETING LOUISVILLE – SOUTHERN INDIANA OHIO RIVER BRIDGES PROJECT EIS AND PRELIMINARY DESIGN

The INDOT – State Agency Coordination Meeting was held for the Louisville – Southern Indiana Ohio River Bridges EIS and Preliminary Design on February 10, 1999 at 9:00 A.M. in Conference Room N755, Indiana Government Center North in Indianapolis, Indiana. Individuals in attendance and their affiliations are included on the attached listing. The meeting was hosted by the INDOT to acquaint the Indiana state resource agencies with information concerning the project history, schedule and potential impact issues, and to further define the interagency coordination process.

Mr. Wiley and Mr. Cecil welcomed meeting participants. Mr. Wiley stressed the importance of the "two bridges – one project" concept. Mr. Cecil urged the cooperation of all state agencies in responding to coordination requests for information.

Mr. Macklin was introduced. He pledged the cooperation of his agency throughout project development.

John Clements, project manager for CTS, provided an overview of the proposed project. His introduction included a brief personal resume, formation of the joint (consultant) venture, project scope and schedule, and public involvement activities. Mr. Clements introduced the members of CTS.

Jere Hinkle, deputy project manager for CTS, reiterated that the meeting was scheduled to establish a collaborative process for the state resource agencies. Mr. Hinkle also presented the proposed 33-month project development schedule.

Jeff Vlach, deputy environmental analysis manager, described development of the environmental constraints database and mapping. A hard copy of the mapping was displayed. Mr. Vlach and Mr. Orstead also demonstrated the constraints mapping in digital format with accompanying relational database.

Jim Hilton introduced the ORMIS alternatives and provided an overview of the design concepts under development. It is the intent of CTS to overlay design concepts on the environmental constraints map to permit a quantification of potential impacts/modifications of design concepts.

Kathleen Partlow described the methods employed by CTS to disseminate and receive public information. Methods described include a project newsletter, web site, toll free telephone number, regional and area work groups and public meetings.

The following summarizes the remaining discussions of this meeting.

- 1. Mr. Wiley indicated that nine (9) EIS studies were presently under development by INDOT. He stated that development of the project EIS by CTS was setting a higher standard that would be employed on existing and future projects.
- 2. IDEM replied that air quality standards for ozone were under revision and would be adopted within the year. CTS was advised that the EIS must conform with the air quality standards current at the time of its submission for review, comment and approval.
- 3. Mr. Cecil reiterated the importance of open communication between state agencies. This communication is important to ensure the timely development of the EIS.
- 4. Mr. Clark identified a resource agency, ORSANCO, which may be of value to CTS. ORSANCO, the Ohio River Valley Water Sanitation Commission, is a compact of eight (8) states formed to control and prevent pollution of the Ohio River and its major tributaries. Mr. Clark suggested coordinating with ORSANCO to assist in data collection for water quality and macroinvertebrate resources.

ATTENDEES

Federal Highway Administration (FHWA)	
Larry Heil	317-226-7491
Joyce Newland	317-226-7475
Indiana Department of Transportation (INDOT)	
Curt Wiley	317-232-5525
Steve Cecil	317-232-5468
Mike Holowaty	317-233-3016
Tom Harris	317-232-1487
Kentucky Transportation Cabinet (KYTC)	
Sherrill Smith	502-367-6411
Indiana Department of Natural Resources (IDNR)	
Larry Macklin	317-232-4020
Mike Meyer	317-232-4158
John Cart	317-232-1646
Ralph Wilcox	317-232-1646
Indiana Department of Environmental Management (IDEM)	
Mary Ellen Gray	317-233-2550
Dennis Clark	317-233-2482
Megan Fisher	317-233-0467
Andrew Pelloso	317-233-2481
Tom Method	317-233-3706
Pat Daniel	317-233-0429
Community Transportation Solutions (CTS)	
John Clements	502-253-9221
Jere Hinkle	502-253-9221
Jim Longest	502-253-9221
Jeff Vlach	502-253-9221
Erik Orstead	502-253-9221
Jim Hilton	502-253-9221
Jim Zei	502-253-9221
Doe-Anderson (DA)	
Kathleen Partlow	502-560-7252
Brown, Todd and Heyburn (BTH)	
Tim Hagerty	502-568-0268



KYTC - STATE AGENCY COORDINATION MEETING OF FEBRUARY 16, 1999

KYTC – STATE AGENCY COORDINATION MEETING LOUISVILLE – SOUTHERN INDIANA OHIO RIVER BRIDGES PROJECT EIS AND PRELIMINARY DESIGN

The KYTC – State Agency Coordination Meeting was held for the Louisville – Southern Indiana Ohio River Bridges EIS and Preliminary Design on February 16, 1999 at 1:00 P.M. in the Holiday Inn Conference Room in Frankfort, Kentucky. Individuals in attendance and their affiliations are included on the attached listing. The meeting was hosted by the KYTC to acquaint the Kentucky state resource agencies with information concerning the project history, schedule and potential impact issues, and to further define the interagency coordination process.

Mr. Yowell welcomed meeting participants. He stressed the importance of the "two bridges – one project" concept, and urged the cooperation of all state agencies in responding to coordination requests for information.

John Clements, project manager for CTS, provided an overview of the proposed project. His introduction included a brief personal resume, formation of the joint (consultant) venture, project scope and schedule, and public involvement activities. Mr. Clements introduced the members of CTS.

Jere Hinkle, deputy project manager for CTS, reiterated that the meeting was scheduled to establish a collaborative process for the state resource agencies. Mr. Hinkle also presented the proposed 33-month project development schedule.

Jeff Vlach, deputy environmental analysis manager, described development of the environmental resources database and mapping. A hard copy of the mapping was displayed. Mr. Vlach and Mr. Orstead also demonstrated the resources mapping in digital format with accompanying relational database.

Jim Hilton introduced the ORMIS alternatives and provided an overview of the design concepts under development. It is the intent of CTS to overlay design concepts on the environmental resources map to permit a quantification of potential impacts/modifications of design concepts.

Kay Stewart described the methods employed by CTS to disseminate and receive public information. Methods described include a project newsletter, web site, toll free telephone number, regional and area work groups and public meetings.

The following summarizes the remaining discussions of this meeting.

1. CTS stated that a scoping document was to be prepared and distributed to federal, state and local agencies approximately three (3) weeks before the formal scoping meeting. This meeting is tentatively scheduled for mid-May, 1999.

- 2. CTS was questioned about the compilation of the remaining field data in the environmental resources relational database. Mr. Vlach replied that once preliminary design concepts had been determined, field work would be undertaken in spring-summer 1999 for those resources within the limits of each design concept, and added to the database.
- 3. Mr. Clements offered the aid of CTS to the state agencies in development of the data requests for the project. He reiterated the importance of open communication between state agencies and CTS.
- 4. Mr. Story indicated that this meeting was another in a series of important information meetings held for the project. He also stated that a second federal stakeholders meeting was to be scheduled for the project by the FHWA, Kentucky Division.
- 5. Mr. Barber commended CTS on the established scope of work for the project, favoring the early agency involvement. He asked that all requests for data from his agency allow a minimum review time of one month.

He further commended CTS on the environmental resources database and mapping. He suggested a possible working session with Kentucky state environmental review agencies to analyze the collected data, when available.

ATTENDEES

Federal Highway Administration (FHWA)	
Jesse Story	502-223-6720
Dennis Luhrs	502-223-6723
Robert Farley	502-223-6744
Olivia Michael	502-223-6754
O. (1.0 2.20 cm - 1	
Kentucky Transportation Cabinet (KYTC)	
J.M. Yowell	502-564-3730
Sherrill Smith	502-367-6411
John Mettille, Jr.	502-564-7250
Steve Goodpaster	502-564-4560
David Smith	502-564-3730
Jeff Mosley	502-564-7650
Glenn Mitchell	502-564-4550
TO SEE AND A DESCRIPTION OF THE PROPERTY OF TH	
Kentucky State Nature Preserves (KYSNP)	502-573-2886
Dave Skinner	302 373 2000
(for Don Dott)	
Kentucky Heritage Council (KYHC)	
David Morgan	502-564-7005
Tom Sanders	502-564-7005
Transport of Equipopmental Protection (KVI)EP)	
Kentucky Department of Environmental Protection (KYDEP) Tim Hubbard	502-564-6716
	502-425-8063
Lesley Henney Alex Barber	502-564-2150
Alex Baroer	
Kentucky Public Service Commission (KYPSC)	
Bill Bowker	502-564-3940
Community Transportation Solutions (CTS)	502-253-9221
John Clements	502-253-9221
Jere Hinkle	502-253-9221
Bill Carwile	502-253-9221
Jeff Vlach	502-253-9221
Erik Orstead	
Jim Hilton	502-253-9221 502-253-9221
Jim Zei	502-695-9800
Charlene Wylie	
Peggy Measel	502-695-9800
Jim Smith	502-695-9800
Fred Meyer	502-695-9800

Doe-Anderson (DA) Kay Stewart

502-560-7309

Brown, Todd and Heyburn (BTH)
Tim Hagerty

502-568-0268



AGENCY SCOPING MEETING OF SEPTEMBER 8, 1999

AGENCY SCOPING MEETING

Chio River Bridges
EIS and Preliminary Design

September 8, 1999

The Agency Scoping Meeting was held for the Louisville - Southern Indiana Ohio River Bridges Environmental Impact Statement (EIS) and Preliminary Design on September 8, 1999 at 9:00 A.M. in Room 105, South Wing, Kentucky Fair and Exposition Center in Louisville, Kentucky. Individuals in attendance and their affiliations are included on the attached listing; this listing also contains the attendees' mailing address, telephone and fax numbers, and e-mail addresses. The purpose of the meeting was to provide preliminary information about the proposed project, and to identify issues of potential concern by the attending federal and state regulatory agencies. The meeting was hosted by the Federal Highway Administration (FHWA) - Kentucky Division, the lead federal agency for the project. The Kentucky Division is being assisted in project development by the FHWA - Indiana Division and the Midwest (Olympia Fields, Illinois) and Southern (Atlanta, Georgia) Resource Centers. The lead state agencies are the Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC). Community Transportation Solutions, Inc. (CTS) is the consulting team that has been retained to assist in the preparation of the EIS and preliminary design.

Mr. Jesse Story, FHWA, welcomed meeting participants, and provided an overview of the project to date. He indicated that the prior study, the Ohio River Major Investment Study (ORMIS), had examined project investment strategies, and that the current process is an environmental impact analysis. A summary of the ORMIS and its preferred investment strategy were provided to attendees in an information packet.

Following the introductions of attending FHWA, INDOT and KYTC officials, Mr. Story stated that this meeting was a continuation of the project scoping process that began with the Federal Stakeholders Executive Briefing of October 6, 1998. In the latter meeting, a collaborative process was initiated with federal agencies for the application of the National Environmental Policy Act (NEPA) process. Similar state agency resource meetings were also held in both states in February 1999.

Mr. Story provided an overview of the NEPA process. A process flow chart was introduced showing the merger of NEPA with the Section 404 permit process and the phases involved in project development. At present, CTS has developed a preliminary draft Purpose and Need document for review by federal and state agencies, and the public. It is the intent of the FHWA that incremental federal and state reviews and endorsements will occur at consensus points as each phase of the NEPA process is completed. Preparation of the Draft EIS will be based in part on this incremental review process. It is anticipated that the Draft EIS will be completed for cooperating agency review in August-September 2000. The Final EIS and ROD are expected in 2001.

Included in the information packet was a copy of the Environmental Streamlining National Memorandum of Understanding developed in accordance with Section 1309 of TEA-21. As

indicated, a collaborative effort was established with federal and state regulatory agencies to coordinate reviews within agencies at consensus points, thereby reducing duplication of effort. Mr. Story stressed that agency coordination was essential.

Mr. Story then introduced CTS project manager, John Clements. Mr. Clements provided a summary of the long-range transportation planning process of the region managed by the metropolitan planning organization, KIPDA. The extension of I-265 between S.R. 62 in Indiana and KY 841 in Kentucky has been an element of the KIPDA regional plan since 1969.

Mr. Clements continued with a description of the public involvement process implemented by CTS. To date, over 150 stakeholder meetings, two (2) state agency coordination meetings and six (6) public information meetings have been held. Four (4) area work groups have met a total of 16 times, and a regional advisory council has met three (3) times. In addition to these meeting opportunities, a quarterly newsletter, a website and a toll-free telephone number have been established.

Mr. Clements next described the environmental resources map and the preliminary alternatives (highway and non-highway). Over 2,000 environmental resources within the general project area have been located on the resources map and entered in a computer database to aid in the assessment of impacts of alternatives. The resources map will be used throughout the project.

Mr. Clements continued with a discussion of project alternatives. Highway alternatives are under preliminary evaluation in three (3) areas: Downtown Jeffersonville/Clarksville/Louisville, the Far East near Utica/Prospect and an area midway between (Mid East). Non-highway alternatives under consideration include rail and bus transit, HOV lanes, TSM, TDM including pedestrian and bicycle travel and telecommuting. Mr. Clements stated that no alternatives have been eliminated from consideration. A reasonable range of alternatives will be analyzed in the Draft EIS based upon public involvement, environmental impacts, engineering feasibility and traffic service and safety enhancement.

Deputy project manager, Jere Hinkle, was introduced and continued the discussion of project status. He provided a brief description of both the Scoping Document and preliminary draft Purpose and Need; copies of each document were included in the information packet.

Mr. Hinkle stated that the purpose of the Scoping Document was to provide preliminary information about the project and to identify issues of potential concern. It briefly described the alternatives currently under consideration and the social, economic and environmental issues expected to be factors in evaluating the alternatives.

The preliminary Purpose and Need for the project centered on the reduction of crashes, the reduction of traffic congestion, the removal of economic barriers to development and the improvement of cross-river access. To examine these issues, it was necessary for CTS to extend the KIPDA planning horizon to year 2025. The current KIPDA planning horizon extends to the year 2020. This extension was necessitated to allow for a 20 year planning life after completion of the Final EIS/ROD, and as mandated by FHWA. CTS has prepared a set of 2025 socio-economic projections including population, households and employment by KIPDA travel analysis zones. These have been forwarded to KIPDA for review and comment. Conformity analyses are presently under preparation by KIPDA and its member organizations. Upon

appropriate modification and confirmation of the 2025 socio-economic forecasts, cross-river bridge alternates will be developed assuming four (4) land use scenarios:

- 1. No construction
- 2. Construction of a new bridge in the far east only
- 3. Construction of a new bridge in the downtown only
- 4. Construction of two (2) new bridges: one in the far east and one in the downtown

Following a short break, the resource agencies identified their concerns for development of the Draft EIS. The following summarizes that discussion by agency. Each agency was also encouraged to send additional comments to CTS, and the "Environmental Issues" checklist in the information packet was suggested as an aid in identifying agency concerns.

Dave Studt - USCG

Stated that the USCG would be responsible for permitting new Ohio River bridges in accordance with the Clean Water Act.

Requested a discussion in the Draft EIS of the impact of new Ohio River bridges on river transportation. Mr. Studt indicated that his agency would coordinate any proposal for new bridge construction with the navigation industry.

Requested a discussion in the Draft EIS of the impact of new Ohio River bridges on the McAlpine locks downstream of the existing Kennedy (I-65) bridge.

Requested copies of all of the alternatives for review and comment.

Virginia Laszewski - EPA

Ms. Laszewski stated that Region 5 would be the coordinating office for the agency (Regions 4 and 5).

Indicated that she had not read the Purpose and Need, but had questions regarding how multimodal access and transportation system linkage issues would be evaluated in the assessment of alternates. She also questioned if the various alternative river crossings met the Purpose and Need.

John Carr - KYTC

Indicated that the conclusions of ORMIS identified on page 4 of the Scoping Document were not intended to indicate any particular sequential order for construction purposes.

John Carr - IN SHPO

Stated that his office was satisfied with the project coordination effort to date.

John Ballantyne - FHWA

Indicated that the FHWA would extend invitations to the USACOE, USCG, EPA and the Advisory Council on Historic Preservation (ACHP) to act as NEPA cooperating agencies on the proposed project. The USFWS was under consideration for inclusion also.

Stated that the FHWA had initiated coordination with both the IN SHPO and KY SHPO in accordance with the new Section 106 regulations. In this coordination, FHWA directed INDOT, KYTC and CTS to act on their behalf with each SHPO office. It was further stated that CTS was responsible for initiating consulting party requests with the local governments and general public, subject to oversight by INDOT, KYTC and FHWA.

In response to a question from the EPA, Mr. Ballantyne indicated that the Section 106 process would be incorporated into the EIS process at the "Alternative Analysis and Considerations" milestone (Process Flow Chart).

Meme Runyon/Bob Griffith - RF

Questioned the public input process for the Purpose and Need statement, urging that a collaborative process be employed. Mr. Story responded that all comments on this document (and the Scoping Document) are to be submitted within 30 days, by October 8, 1999. He also indicated that the public involvement process employed by CTS provided numerous opportunities for public comment. Mr. Yost stated that the CTS public involvement process, including publication of a preliminary Purpose and Need statement, exceeded the requirements of federal law.

Mr. Story closed the meeting by thanking all attendees for their participation. He also indicated that future meetings would be preceded with adequate notice of the date, time and location, as well as the purpose of the meeting.

Listing of Attendees

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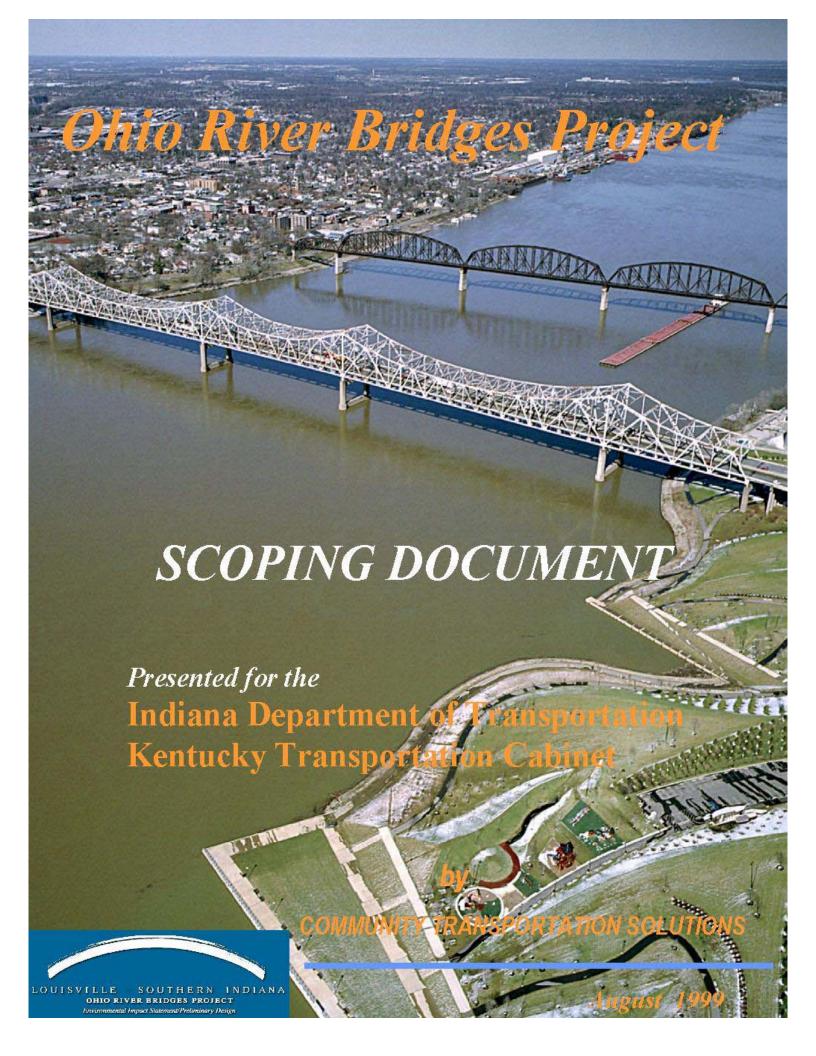
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SCOPING DOCUMENT AND PURPOSE AND NEED COORDINATION



SCOPING DOCUMENT

For an

ENVIRONMENTAL IMPACT STATEMENT PREPARATION

LOUISVILLE - SOUTHERN INDIANA OHIO RIVER BRIDGES PROJECT

LOUISVILLE METROPOLITAN AREA

Prepared for the

INDIANA DEPARTMENT OF TRANSPORTATION

AND

KENTUCKY TRANSPORTATION CABINET

Prepared by

COMMUNITY TRANSPORTATION SOLUTIONS, INC.

August 1999

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SCOPING DOCUMENT LOUISVILLE-SOUTHERN INDIANA OHIO RIVER BRIDGES PROJECT

I. PURPOSE AND NEED

A. Purpose of Scoping Document

The Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KTC) initiated the preparation of an Environmental Impact Statement (EIS) in September of 1998. The Draft Environmental Impact Statement (DEIS) is scheduled for completion by summer of 2000. The Final Environmental Impact Statement (FEIS) is expected to be completed in 2001. The EIS will objectively evaluate each of the project alternatives for potential impacts to the natural and cultural environment. The project alternatives generally include: no action (maintaining existing facilities only); transportation system management/transportation demand management; mass transit improvement; and upgrading the highway network including construction of additional bridges across the Ohio River.

An initial step in completing the EIS is the preparation of a scoping document. The purpose of the scoping document is to provide preliminary information regarding specific areas that may be impacted and to identify issues of potential concern. This document briefly describes alternatives under consideration and identifies the social, economic, and environmental issues that are expected to be factors in evaluating the highway alternatives.

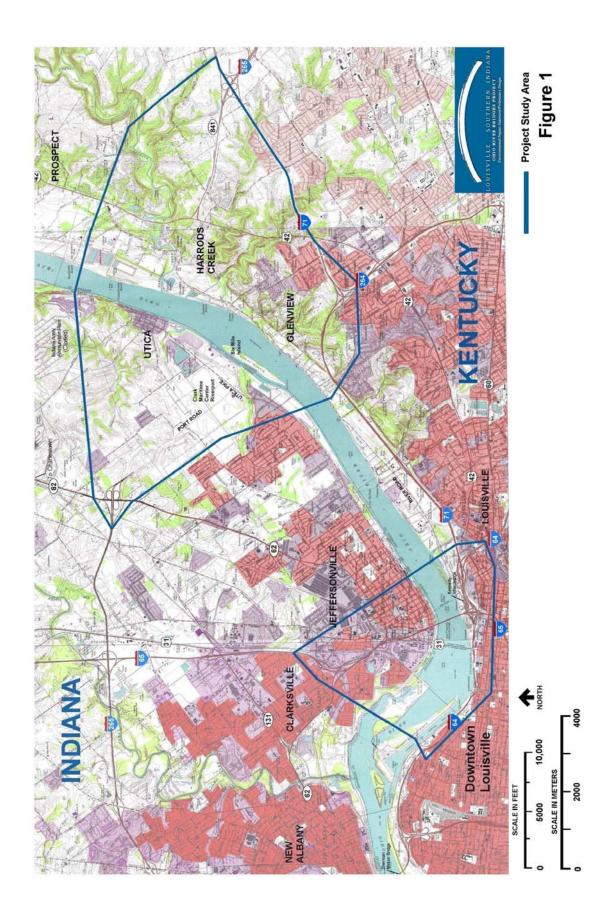
This document is being distributed to agencies and local jurisdictions having project review or permit authority in order to achieve consensus among agencies as to those issues that should be emphasized in the EIS. Initial comments received by representatives of state and federal agencies and local jurisdictions, as well as the public, will be discussed in scoping meetings scheduled for September 1999, in the general Louisville, Kentucky area.

B. Location and Description

The EIS project area extends from approximately the Falls of the Ohio River to the vicinity of the Jefferson County/Oldham County, Kentucky line on the east and from I-64 on the south to I-265 in Indiana on the north (See Figure 1). The Kentucky side of the river is heavily developed while the Indiana side is urban in the western half and more agricultural to the east. Historical parcels and districts are scattered throughout the project area. Potential threatened or endangered species habitat and other sensitive resources may be encountered along the riverbanks. Archaeological sites may exist and be discovered within the project limits. The Six Mile Island Nature Preserve lies approximately in the center of the project study area.

C. Project Justification

Louisville is the largest of the metropolitan areas in Kentucky. During the past decade it has experienced household and employment growth of seven and thirteen percent, respectively. Most of the growth has been in eastern Jefferson County. Residential development is occurring along the I - 64 and I - 71 corridors extending into western Oldham County. Large commercial/retail shopping centers (greater than 200,000 square feet) have recently developed in the Brownsboro Road / Westport Road / I - 265 area. This growth is projected to continue through the next two decades.



Until very recently, similar growth has not been as pronounced across the Ohio River in Southern Indiana. For example, at the Indiana Port Commission's Clark Maritime Center in eastern Jeffersonville, developed in the late 1980's, employment has lagged behind intial expectations. However, development pressures now are being experienced. Major commercial / retail centers have been developed in the Jeffersonville SR 62 corridor. The Clark Maritime Center has experienced rapid growth in the past three years. There are approximately 2,000 employed at present. Employment is projected by the Clark Maritime Center to increase by 50 percent in the next five years. Groundbreaking for significant residential, recreational and commercial development in Jeffersonville has occurred in the past year.

The Indiana Army Ammunition Plant (IAAP) on the banks of the Ohio River near Charlestown is at the eastern edge of the project area. It is opposite eastern Jefferson County and western Oldham County in Kentucky. Since ammunition production ceased at the plant about six years ago, some of the site has been converted to an industrial park. It comprises the largest area of undeveloped land or land that could be redeveloped in the Louisville metropolitan area. Of the plant's approximate ten square miles, three-quarters is available for local authority or agency development. The remaining 25 percent of the plant area is available for local government development, subject to stipulations regarding disposition of leases with existing tenants of the industrial park. This area is commonly acknowledged by Kentucky and Indiana officials and agencies as that having the highest potential for development in metropolitan Louisville. It is also acknowledged that if the IAAP is to be redeveloped, transportation access must be improved.

Weekday traffic on the three Ohio River bridges - the Kennedy Memorial Bridge (I-65), the Clark Memorial Bridge (US 31) and the Sherman Minton Bridge (I-64) - is nearing 250,000 vehicles. During peak periods of travel these volumes approach, and in some instances, exceed the bridge capacities. Degraded and undesirable levels of service (LOS E and F) are currently experienced on the Clark and Kennedy bridges and on the highways providing access to the bridges.

The accident rates on the Ohio River Bridges and approach roadways are significantly higher than the rates experienced on other urban freeways in both Kentucky and Indiana.

Trans-Ohio River vehicle traffic is projected to increase 35 percent during the next 25 years. If no improvements are made, traffic crossing the Ohio River will experience increased travel times and associated degradations of service. The projected number of accidents will increase accordingly.

II. PROJECT STATUS

A. Project Background

As the Greater Louisville area (encompassing Jefferson, Oldham, Shelby, and Bullitt Counties in Kentucky and Clark and Floyd counties in Indiana) continues to grow, increased demands are being placed upon the existing transportation network. In addition, the juncture of three interstate highways (I-64, I-65, I-71) occurs in the downtown Louisville area at the Kennedy Interchange, referred to locally as "Spaghetti Junction", adding national and regional traffic into the already overburdened local network. Improvements have been undertaken by both the Indiana and Kentucky transportation agencies, and this has done much to improve traffic flow on each side of the Ohio River. The river, however, remains an impediment to any real solution, as the existing crossings are pushed to their respective limits. The current transportation system limitations also provide barriers to planned and anticipated economic development in both the downtown and east-end of the project area. The accident rate within the Kennedy Interchange area is two and one half times the Kentucky statewide average for urban freeways. On the Indiana side, accident rates are 50 percent greater than statewide averages on

the section of I-65 leading to the Kennedy Bridge. Recent minor improvements to the bridges and approaches (widenings, shoulder/guardrail enhancements, restriping, etc.) have had some effects; however, any gains are expected to be relatively short-lived and are only considered to be short-term improvements until a comprehensive solution can be provided. Traffic on existing river crossings has steadily increased and that trend is expected to continue.

Several studies in the Louisville Metropolitan area have been conducted over the years in an attempt to determine an appropriate solution. The most recent was the Ohio River Major Investment Study (ORMIS) which was begun in mid-1995 and concluded in mid-1997. The conclusion of the ORMIS was that the solution to the area's transportation problem is threefold. The first step would be to construct a new bridge crossing on the east side of Louisville extending from the Gene Snyder Freeway (I-265/SR 841) or Watterson Expressway (I-264) in Kentucky to the present Indiana 265 terminus at SR 62 in Indiana. The second step would be the construction of a new downtown bridge. The third step would be the reconstruction of the Kennedy Interchange and the approaching interstate highways to increase direct capacity, to separate decision points, and to either remove or lengthen traffic weaving sections. Although the ORMIS report included specific recommendations regarding preferred alternatives for each location, its results do not represent a final agency decision. ORMIS was a "Major Investment Study" and, as such, the environmental studies and alternatives analyses were not taken to the level of detail required by the National Environmental Policy Act (NEPA). Likewise, public and agency involvement, although substantial, did not satisfy all of the requirements of NEPA and the public hearing process. For projects of this magnitude, a Major Investment Study is often accomplished prior to the Environmental Impact Statement (EIS) and becomes the starting point for the EIS. The preparation of the EIS is underway.

B. Environmental Impact Statement Process

This process involves evaluating alternatives and their potential impacts, and recommending a proposed solution for the identified transportation needs. The analysis of alternatives and consideration of environmental impacts will be documented in a DEIS. Upon completion of the DEIS, a formal public hearing will be held (anticipated in the summer of 2000). Subsequent to the public hearing, public and agency comments will be analyzed and responded to, an FEIS will be prepared, and an alternative will be selected. The FEIS will document the selected alternative and the reasons it was selected, and will describe the impacts of the selected alternative, including proposed mitigation. It is anticipated that the FEIS will be completed approximately six to nine months after the public hearing. A Record of Decision (ROD), which constitutes the agency's final action with respect to the proposal, can be finalized thirty days after agencies have had an opportunity to review the FEIS. Approval of the ROD will constitute location and environmental approval for the project.

C. Public And Agency Development

During the initial phase of the EIS process, resource agencies, local officials and the general public have been given an opportunity to comment to help determine the scope of the environmental document, the appropriate level of analysis and related informational requirements. In addition to the scoping process and the public hearings, a public information program is being carried out as part of the project effort. Elements of the public involvement program include quarterly project newsletters to update citizens on the progress of the effort, creation of regional and local citizen working committees, a web site and a toll-free telephone information line that citizens can utilize to express specific concerns and to receive project updates.

Meetings will be held with state and federal agency representatives, and local jurisdiction scoping document doc representatives, as well as members of the public, during the EIS process to review the status of the

engineering evaluation and environmental analysis, and to encourage input. Feedback resulting from the public information program and from local governmental representatives will be incorporated into the DEIS.

III. PROJECT ALTERNATIVES

A. No Action

This alternative would maintain the existing transportation system in the project area. It will be augmented with adopted regional transportation plan improvements outside the project area.

B. Transportation System And Demand Management

Alternatives such as improvements to local intersections and other operational alternatives will be reviewed during the EIS process. Transportation demand management strategies proposed and analyzed will include provision of HOV facilities, carpooling programs, subsidized transit passes and peak travel shedding.

C. Mass Transportation

This alternative will include expansion of local bus service provided by the Transit Authority of River City (TARC). Current trans-Ohio River service consists of bus service on six routes. The findings of the recently completed Major Investment Study - Transportation Tomorrow (T²) which focused upon the viability of fixed guideway transit service in the Louisville Metropolitan area will be utilized to assess transit alternatives.

D. Highway

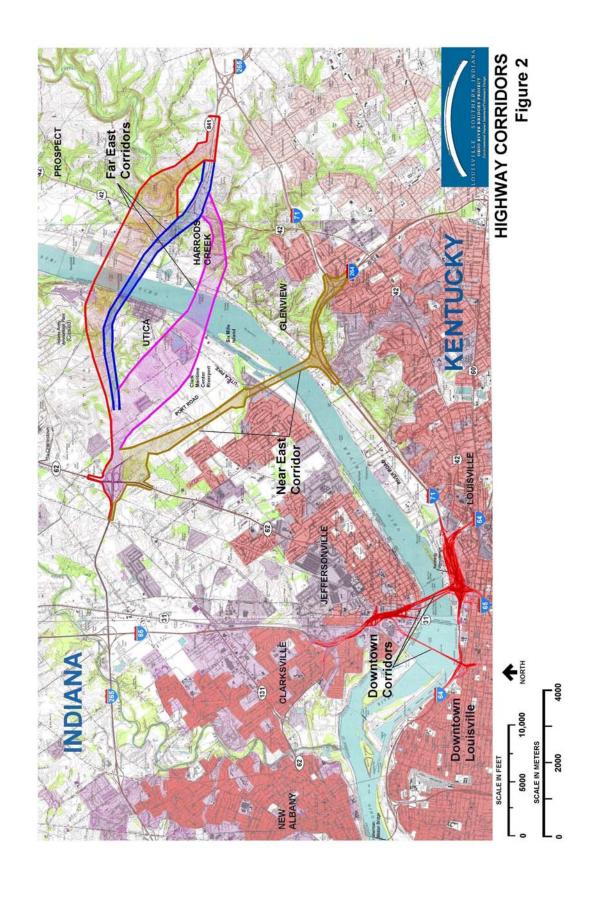
This project intially was conceived as a two bridge highway project to alleviate congestion within the Greater Louisville Area, to address regional network connectivity concerns and to provide for the future transportation needs in light of proposed development of the region. Using the existing highway network as a base, three distinct area corridors appear to provide the best opportunities for route continuity. The three corridors are:

<u>The Far East</u> corridor would allow for an east end bridge and alignment to connect the present termini of I-265 in both Indiana (at SR 62) and Kentucky (at I-71);

The Near East corridor would maintain the east end alignment connection with I-265 in Indiana, but would move the Kentucky terminus to the I-71/I-264 (Watterson Expressway) interchange; and

<u>Downtown</u> area covers the Ohio River from the Falls of the Ohio eastward to approximately the eastern edge of the Kennedy Interchange (Spaghetti Junction.)

Within each of the corridors are various alignments; the general location of these corridors proposed for initial consideration are shown in Figure 2. Alignments in each of these corridors are described below.



FAR EAST

North - beginning approximately 1.5 kilometers west of the I-265/I-71 interchange, this generalized alignment proceeds north away from the present I-265/SR 841 alignment, through the southern half of the City of Prospect and a portion of the Transylvania Beach area in Kentucky before crossing the Ohio River into Indiana between Utica and the recently closed Indiana Army Ammunition Plant, and then proceeding to join Indiana 265 at the SR 62 interchange in Indiana.

<u>Middle</u> – starting at the present terminus of SR 841/I-265 at US 42, this generalized alignment crosses the southern edge of Transylania Beach in Kentucky and after bridging over the Ohio River follows the North alignment on to the Indiana 265/SR 62 interchange.

<u>South</u> – beginning approximately 750 m east of the SR 841/I-265 intersection with US 42, this generalized alignment proceeds south along Little Goose Creek before exiting Kentucky at Juniper Beach. It passes through Indiana just east of the Clark Maritime Center and connects with the present end of Indiana 265 at SR 62.

NEAR EAST

The alignments for this corridor proceed from the east at the I-71/I-264 interchange and follows I-71 west through the curve at which point it turns north to cross the Ohio River west of Six Mile Island. It proceeds through Indiana along the western edge of the Clark Maritime Center until terminating at the Indiana 265/SR 62 interchange.

DOWNTOWN

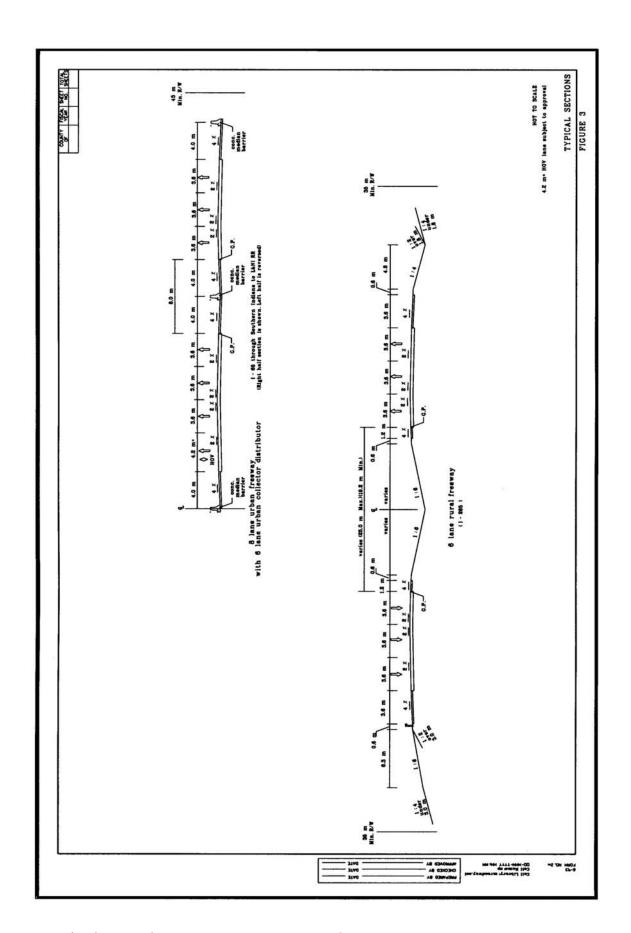
<u>Upstream from the existing I-65 Bridge alignment</u> –the alignment would include a new Ohio River crossing immediately to the east of the existing Kennedy bridge (I-65)

<u>Downstream from the existing I-65 Bridge alignment</u> – this alternative would include a new bridge immediately to the west of the existing Kennedy Bridge (I-65) and east of the existing Clark Memorial Bridge (US 31)

9th Street – this alternative would begin at the existing 9th Street/I-64 Interchange in Kentucky and cross the Ohio River into southern Clarksville, Indiana at which point it would proceed northeasterly to merge with I-65 at approximately 10th Street in Jeffersonville, Indiana.

Different scenarios regarding the bridges and locations will be considered in the alternatives development. The two bridge recommendation of the ORMIS, both an east end and a downtown bridge, will be considered. Various single bridge alternatives will also likely be proposed and assessed during the preparation of the EIS.

The likely roadway typical cross-sections to be considered are a six-lane rural expressway with grassed median for the Far East and Near East alignments and an eight-lane urban expressway with median barrier and a three lane Collector-Distributor (CD) or frontage road on each side for the Downtown areas. The former will be addressed as a four lane facility that can be expanded to six lanes. Figure 3 shows the proposed cross-sections.



The typical right-of-way width will be in the vicinity of 75 to 90 meters with the actual width dependent on the merger of geology and topography of the area with the alignment being considered.

IV. IDENTIFICATION OF POTENTIAL ISSUES

Several issues will be examined during the course of the analysis and preparation of this EIS. These include:

A. Traffic And Transportation

Year 2025 projected travel demand volumes on the three existing highway bridges in the project area for the no-build alternative are in the 336,000 ADT range; this represents an approximately 35 percent increase over the existing volumes. The study team will assess the transportation impacts associated with the no-build, TSM/ TDM and build alternatives. Traffic data inputs for air quality and noise evaluations also will be prepared.

B. Regional Development Impact Trends

The impact analysis will address the direct, indirect and cumulative effects on land use and social and economic resources that are relevant to the proposed improvements. Future land uses in the project area will be reviewed, including: the relationship to regional and local development plans; planned construction of public facilities; residential growth; conditions of development and open space that may influence or be influenced by any proposed project; and the pace and characteristics of change. Effects on the projected land use and socioeconomic conditions for all alternatives, including the no-build, will be analyzed. This includes (but is not limited to) direct impacts on existing households, properties, land uses, community activities, and tax base.

C. Displacements

- 1. All build alternatives will require additional right-of-way. There will be residential, commercial and outbuilding displacements associated with any Downtown, Near East or Far East bridge alternatives, and with any reconstruction of the Kennedy Interchange area.
- 2. Relocation assistance will be provided to displaced residential and commercial property owners in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
- 3. Relocation resources will be made available to all residential and business relocatees without discrimination.
- 4. The relocation assistance and property acquisition will be undertaken to avoid disproportionate impacts to the elderly, handicapped, non-drivers, transit-dependent, minority and ethnic groups, and low income households.

D. Farmland

Prime, unique and state or locally important farmland will be tabulated. Impacts of the project alternatives on individual farm operations as well as farmland enrolled in the Farmland and Open Space Preservation Act (Act No. 116, Public Acts of 1974) will be evaluated in the EIS. Farmland would be impacted by any Near East or Far East bridge alternative.

E. Local Access

The highway facilities being considered are all interstate highway in nature and, therefore, would be limited access. Because of the new corridors being considered and rights-of-way to be acquired, access control will be especially important for the build alternatives; maintenance of existing access and provisions for alternative means of access will be critical. Interchange locations will also be of critical concern to provide for future needs while still adhering to local desires and requirements.

F. Air Quality

The existing air quality for the project area will be evaluated in order to determine a baseline for assessing the air quality impacts of the project alternatives. Air quality will be analyzed with respect to the NAAQS. The air quality analysis will be performed for the project base year (1999), and for the nobuild and build alternatives for the project implementation year (2010) and design year (2025). Project conformity with the appropriate State Implementation Plans also will be evaluated.

G. Noise and Vibration

The sensitive noise receptors associated with each alternative will be identified and background noise levels at selected sensitive receptors will be established. Vibration studies will be conducted. Mitigation measures, where feasible, will be recommended where significant impacts are predicted for build alternatives.

H. Wetland/Stream Crossings

- 1. In addition to the Ohio River itself, the Near East and Far East alignments have the potential to affect Harrods, Goose and Little Goose Creeks on the Kentucky side and Lentzier and Lancassange Creeks on the Indiana side.
- 2. Impacts of the project alternatives on streams and associated wetlands will be analyzed, including effects on wildlife, waterfowl and fisheries habitat and water quality.
 - 3. Floodplain encroachment is anticipated with the build alternatives because of the nature of this project. However, it is anticipated that impacts can be minimized by extending the bridges to appropriate limits.
- 4. Potential wetland mitigation sites will be analyzed, if appropriate.

I. Natural Environmental Conditions

- Consequences of the project alternatives on aquatic and terrestrial habitats will be analyzed, including information on the presence of threatened, endangered, and rare species.
- 2. Impacts to upland and floodplain forests will be analyzed. Included in this analysis will be related impacts to the habitats of plant species listed as threatened, endangered or of special concern. Additionally, since these woodlands provide important wildlife habitat and help to maintain groundwater and runoff quality, associated impacts will be evaluated.
- 3. Impacts on aquatic systems (fish and benthic invertebrates) will include habitat loss and short-term effects due to construction-related activities. Existing studies on highway runoff pollutants and aquatic habitats will be important in the EIS.

J. Hydraulics and Hydrology

A large amount of the project area is without significant topographic relief and crosses areas adjacent to wetlands. Drainage impacts of the build alternatives could be substantial. Consequences of the project alternatives on surface water resources will be analyzed. The following will be considered:

- 1. Impacts of construction and operation on surface water will include erosion and siltation impacts at the river and stream crossings, as well as long-term impacts associated with highway runoff.
- 2. Impacts of construction and operation on surface water flow will analyze the potential crossings of the 100-year floodplain, both above and below the river crossings. Preliminary studies necessary to make a proper evaluation of possible floodplain encroachment will be performed. Efforts in this task will be coordinated with the hydraulic engineering studies.

K. Hazardous Substances

A preliminary screening of the potential project alignment corridors will be conducted. Sites in the corridors identified as having high hazardous substance potential will be investigated. These sites are expected to be identified early in the study to allow sufficient time for more detailed screening or investigations for alternative route or layout considerations. Soil borings and testing will be performed as needed. Estimated costs of cleanup will be developed for potentially impacted sites.

L. Recreation

Recreational resources are known to exist in the study corridor. If it is determined that land from an historic site, publicly-owned park, recreation area or waterfowl/wildlife refuge may be used by a build alternative, the requirements of 23 USC 138 (Section 4(f) of the DOT Act) will be addressed.

M. Historical Significance

A preliminary survey of historic structures and archaelogical sites in the corridor will be conducted. For historic structures that could be impacted, architectural investigations will be conducted to assess if construction or operation of the project could have any effect. Additionally, archaeological sites could be affected by the build alternatives, and these too will be investigated. Documentation of both historic impacts and archaeological disturbances and potential mitigation measures will be in compliance with Section 4(f) and Section 106 of the National Historic Preservation Act.

N. Visual/Aesthetics

In the Near East and Far East corridors, an evaluation will be made of the placement of a bridge in a location where none existed before. It will be very important to achieve harmony with public desires and functional needs. In addition, due to the historic significance of some of the properties within the corridors, various screening techniques may need to be used to protect the visual integrity of adjacent parcels. Both of these functions will be extremely important to public acceptance of any build option and will be thoroughly examined. The visual/aesthetics of another bridge in the downtown area will be examined with special consideration given to the setting of the alternative bridge crossing with existing bridges.

O. Navigation

The Ohio River, like the roads that cross it, is a vital link in the transportation network of the region and the nation. Any work of a temporary (construction) or a permanent nature that is performed within the river will be coordinated with the U.S. Coast Guard and U.S. Army Corps of Engineers to satisfy the requirements of both commercial and recreational navigation needs.

V. ACTIONS TO FOLLOW

The following steps will occur as part of the project and are milestones to reaching a Record of Decision.

A. Scoping Meeting

An agency scoping meeting will be held in Louisville, Kentucky on September 8, 1999.

B. Purpose And Need Statement

A Preliminary Draft Purpose and Need Statement, prepared by the Project consultant, will be developed and available for review by agencies and the public during August or September 1999.

C. Draft Environmental Impact Statement

A DEIS is scheduled for distribution during the summer of 2000. Comments received from both agencies and the public during the scoping process will be addressed in the DEIS.

D. Public Hearing

It is anticipated that a public hearing to review the DEIS will be held in August 2000. The selection of a preferred alternative would not occur until after a review of comments received on the DEIS (minimum 45-day comment period).

E. Final Environmental Impact Statement/ Record of Decision

The FEIS will respond to citizen and agency input and address the specific impacts of the selected alternative. It is anticipated that an FEIS will be completed by Spring 2001. The FEIS must be approved by the Federal Highway Administration (FHWA). The FHWA will issue the Record of Decision (ROD). It will document the decision of the FHWA with respect to the project, and is expected in Summer 2001. In the case of selection of one of the build alternatives, advancement of the final design will occur following issuance of the ROD. Right-of-way acquisition and construction would then advance dependent upon the availability of funding.

SCOPING DOCUMENT AND PURPOSE AND NEED STATEMENT COORDINATION

Responses to September 8, 1999 Scoping and Purpose and Need

- A. U.S. Fish and Wildlife Service, Cookeville (Tennessee) Field Office
 October 15, 1999
- B. U.S. Fish and Wildlife Service, Bloomington (Indiana) Field Office
 September 8, 1999
- C. U.S. Natural Resources Conservation ServiceSeptember 2, 1999
- U.S. Army Corps of Engineers, Louisville District
 November 12, 1999
- E. U.S. Coast Guard, Eighth District

September 27, 1999 October 4, 1999 November 18, 1999

F. U.S. Environmental Protection Agency, Region 5

November 3, 1999 December 2, 1999

G. Indiana Department of Environmental Management

October 13, 1999

H. Kentucky Natural Resources and Environmental Protection Cabinet

Department for Environmental

Protection

October 4, 1999

Division of Water

September 30, 1999

Division of Waste Management

October 4, 1999

Division for Air Quality

September 20, 1999

State Nature Preserves

Commission

September 14, 1999

Division of Conservation

September 20, 1999

I. Jefferson County Public Works

September 7, 1999 March 1, 2001

J. City of Louisville, Department of Public Works

November 12, 1999

K. National Trust for Historic Preservation

November 29, 1999 December 3, 1999

L. River Fields, Inc.

November 16, 1999

M. Knob and Valley Audubon Society

November 10, 1999

Responses to February 11, 2000 Purpose and Need

A. U.S. Coast Guard, Eighth District

February 18, 2000

B. The League of Women Voters

May 10, 2000

C. Kentucky Waterways Alliance

May 11, 2000

D. River Fields, Inc.

March 14, 2000

E. Sierra Club Cumberland Chapter

May 10, 2000



United States Department of the Interior

FISH AND WILDLIFE SERVICE 446 Neal Street Cookeville, TN 38501

October 15, 1999

Mr. Jesse A. Story
Division Administrator
U.S. Department of Transportation
Federal Highway Administration
330 West Broadway
Frankfort, Kentucky 40601

Subject:

Scoping Document and Purpose and Need Statement for the Ohio River Bridges

Project.

Dear Mr. Story:

The Fish and Wildlife Service (Service) has reviewed the subject documents. Comments from both our office and the Service's Bloomington, Indiana Field Office have been incorporated into this response.

Scoping Document

On page 3, under I.C. Project Justification, it is implied that some route alternatives could generate new development. The Indiana Army Ammunition Plant (IAAP) is singled out as having the "highest potential for development in metropolitan Louisville." IAAP has some high quality fish and wildlife resources, including recently discovered endangered gray bats (Myotis grisescens). It appears that there are one or more gray bat summer roosting colonies as well as nightly foraging on the Army base. Secondary impacts from development should be analyzed in the Environmental Impact Statement (EIS) for each corridor, but especially the far east corridor that would directly affect the IAAP area.

The section under *III.D. Highway* on page 7 indicates three potential corridors. Different scenarios regarding the bridges and locations would be considered in the alternatives development. This would include the two bridge recommendations of the Ohio River Major Investment Study and various single bridge alternatives that would "likely be proposed and assessed during the preparation of the EIS." It is important that single bridge alternatives be given equal weight throughout the EIS.

The section under IV.H. Wetland/Stream Crossings on page 10 indicates that potential wetland mitigation sites would be analyzed, if appropriate. However, there is no mention of analyzing potential stream mitigation sites for the various alternatives that may impact this resource.

On page 11, under *IV.L. Natural Environmental Conditions*, the issue of habitat fragmentation should be included along with habitat loss. Fragmentation impacts should be addressed in the EIS, especially as it relates to migratory birds.

We found the section on page 11, IV.J.2 Hydraulics and Hydrology, to be poorly worded and confusing: "Impacts ... will analyze." This sentence should be rewritten.

Draft Purpose and Need Statement

On page 6, under Existing Public Transit System, it is indicated that the 3 existing bridges carry 230,000 vehicles per day but only 465 bus passengers per day (less than 6 riders per bus trip). This appears to be a low number using mass transit. Are there national figures to compare this to? In terms of purpose and need, the mass transit analysis only shows that the current system does not work well. In the EIS, the mass transit alternatives need to be emphasized and thoroughly analyzed.

Section 1.3 entitled 1996 Transportation Plan on page 7 indicates that the Transit Authority of River City (TARC) developed a transit ridership forecast model, but it does not give the results. The results should be included.

Section 1.3 entitled TARC Major Investment Study and also found on page 7 recommended that a rapid transit corridor from downtown Louisville south to I-265 be advanced to the Preliminary Engineering and Draft Environmental Impact Statement phase. Rapid transit north across the river should also be included in the EIS analysis, along with construction of a proposed new bridge(s) to include rapid transit infrastructure so that it can be installed in the future.

Section 1.8 entitled *Transportation System Linkage/Multimodal Access* on page 18 indicates that development of IAAP depends to a great extent on the completion of the I-265 link. In terms of purpose and need, this confuses the issue between transportation improvements and generation of development. Again, it is important that secondary impacts of development by adequately analyzed in the EIS.

These constitute the comments of the U.S. Department of the Interior in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and are consistent with the intent of the National Environmental Policy Act of 1969.

We appreciate the opportunity to comment on this proposal. Please contact Timothy Merritt of my staff at 931/528-6481(ext. 211) or via e-mail at timothy_merritt@fws.gov if you have questions regarding the information provided in this letter.

Sincerely,

Lee A. Barclay, Ph. I

Field Supervisor

xc: Mr. Jeffery Vlach, Community Transportation Solutions, Inc., Louisville, KY

Ms. Kathleen Higgins, COE, Louisville, KY

Mr. Mike Litwin, FWS, Bloomington, IN

ENVIRONMENTAL ISSUES

AGENCY SCOPING MEETING for LOUISVILLE-SOUTHERN INDIANA, OHIO RIVER BRIDGES PROJECT

September 8, 1999

Name:	Title: FISHERY BIOLOGIST
	U.S. FISH AND WILDLIFE SERVICE
Address: 6:	20 S. WALKER ST. BLOOM WGTON, IN 47403
11	nichael_Liturin@fws.gov
1. LAN	ND USE IMPACTS: Effect of secondary commercial development
cu de cuale 2. FAR	Effects of secondary commercial development loss and pragmentation of wildlife habitates quality, watershed /stream hydraulect RMLAND IMPACTS: (relates to local Zoning)
3. SOC	CIAL IMPACTS:
4. REI	LOCATION IMPACTS
5. EC	ONOMIC IMPACTS

Lead Federal Agency: Federal Highway Administration

Lead State Agencies: Kentucky Transportation Cabinet, Indiana Department of Transportation

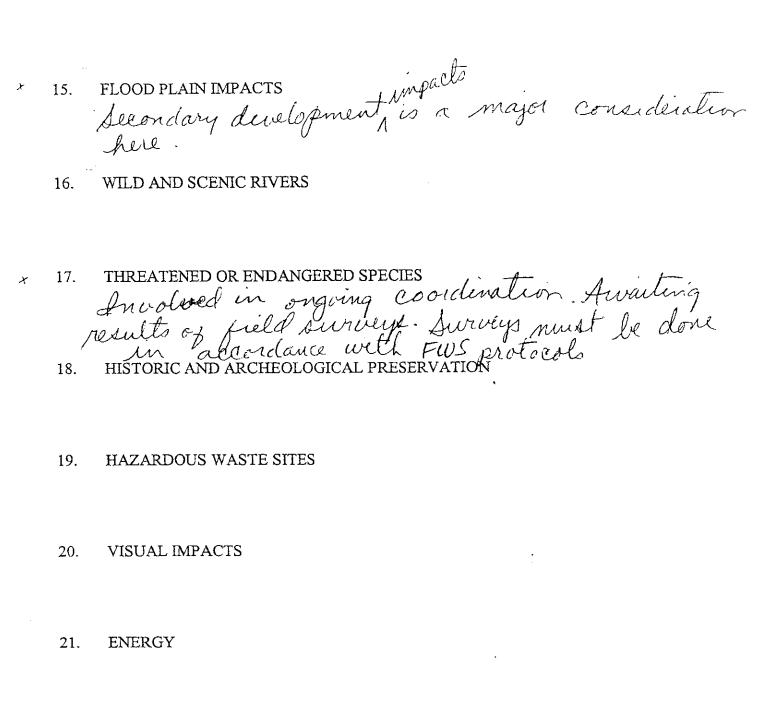
Consulting Firm: Community Transportation Solutions (CTS)

- JOINT DEVELOPMENT 6.
- CONSIDERATIONS RELATING TO PEDERSTRIANS AND BICYCLISTS
- AIR QUALITY IMPACTS 8.
- NOISE IMPACTS 9.
- Thoundwater pharst impacts should be addressed. Secondary development 11. PERMITS WATER QUALITY IMPACTS 10.
- Should include landscape analysis WETLAND IMPACTS 12.
- Should include direct impacts, indirect impacts on watershid/drainage/stream jugarantics
 - Should include pragmentation impacts as well as direct losses. Secondary development impact are significant and should be addressed. 14.

Lead Federal Agency: Federal Highway Administration

Lead State Agencies: Kentucky Transportation Cabinet, Indiana Department of Transportation

Community Transports Colleges (CTS) Consulting Firm:



RELATIONSHIP OF LOCAL SHORT-TERM USES VS. LONG-TERM

Lead State Agencies: Kentucky Transportation Cabinet, Indiana Department of Transportation Community Transportation Solutions (CTS)

22.

23.

Consulting Firm:

CONSTRUCTION IMPACTS

Lead Federal Agency: Federal Highway Administration

PRODUCTIVITY

24. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES Prohibited under Section 7 og the Endangered Species Act until Section 7 issues are resolved.

we would like to see a NEPA analysis of the filed mass transit was afternative, and discussion of why it was deemed in feasible

Lead Federal Agency: Federal Highway Administration

Lead State Agencies: Kentucky Transportation Cabinet, Indiana Department of Transportation

Consulting Firm:

Community Transportation Solutions (CTS)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES) 620 South Walker Street Bloomington, IN 47403-2121 (812) 334-4261 FAX (812) 334-4273

February 5, 1999

Mr. Steve D. Cecil Division of Preliminary Engineering and Environment Department of Transportation 100 North Senate Avenue, Room N848 Indiana Government Center North Indianapolis, Indiana 46204-2249

Project:

Louisville-Southern Indiana Ohio River Bridges

Work Type: Construction of new bridges and approach roads

County(ies): Clark County, Indiana and Jefferson County, Kentucky

Dear Mr. Cecil:

This responds to your letter dated December 22, 1998 requesting U.S. Fish and Wildlife Service (FWS) comments on the aforementioned project. Our comments here will address areas of concern in the Indiana portion of the project area only, with the exception of endangered species. As this project encompasses 2 FWS offices in 2 separate regions (the Bloomington, Indiana office in Region 3 and the Cookeville, Tennessee office in Region 4), we will soon designate a lead office to represent us in all formal coordination.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

Ohio River

The Ohio River contains a diverse array of aquatic fish fauna, including many game species, several commercial species, and a large variety of non-game species. The project should be planned and designed to minimize impacts on fish habitat such as shoreline habitat and spawning areas.

Based on the major riverwide mussel surveys of Williams and Schuster (1982) and Clarke (1995) we are not aware of any mussel beds in the Ohio River in the project area, however this does not preclude the possibility of the presence of low concentrations of mussels. An intensive survey for rare mussels is advisable for portions of the river channel that will be directly affected by construction or sedimentation.

The possibility of contaminants in river sediments to be excavated must be addressed. You should consult with the Indiana Department of Environment concerning this issue.

Streams and Riparian Habitat

As stated in your letter, the study area on the Indiana side of the river includes 2 streams:

Lancassange Creek and Lentzier Creek. Both streams contain fairly extensive wooded riparian corridors in some reaches. The FWS' Bloomington Field Office conducted surveys of fish and terrestrial wildlife in and along Lancassange Creek in 1982, as part of our review of a proposed U.S. Army Corps of Engineers project. The results of those surveys, including 22 species of fish and a large variety of birds and other terrestrial wildlife, indicate that Lancassange Creek provides substantial aquatic and terrestrial habitat. We are not aware of similar surveys for Lentzier Creek, but site-specific surveys would be advisable for both streams when prospective crossing sites are identified. The project should be designed to minimize loss and fragmentation of riparian forest and adverse impacts on aquatic fauna and habitat.

Other Habitats

Other habitats in the study area include woodlots and successional fields. The project should be designed to minimize iosses and fragmentation of these habitats also. Project analysis should identify habitat loss and fragmentation effects for all considered alternatives.

Endangered Species

Please refer to our previous letters concerning identification of potential endangered species concerns in Indiana. Our most recent letter to Mr. Jeffrey Vlach, with copy to INDOT, was dated November 6, 1998. Attached is a copy of our Cookeville, Tennessee office's most recent letter concerning federally listed species on the Kentucky side of the Ohio River in the project area.

If new crossings of wooded portions of Lancassange Creek, Lentzier Creek, forested waterways in Kentucky, or other potential habitat for Indiana bats or gray bats will be affected by the project, coordination will be necessary pursuant to Section 7 of the Endangered Species Act. Depending on the quality of affected habitat and extent of impacts, appropriate measures to address these species may be limited to seasonal work restrictions, or bat surveys may be deemed necessary. If bat surveys are needed they should be conducted in accordance with FWS guidelines. If federally listed species are found in the study area, additional Section 7 consultation will be necessary to determine the project's affects on these species. To address the possible presence of the other federally listed species on the Kentucky list, it will be necessary to coordinate with state agency heritage programs, and possibly also to conduct additional field surveys.

Mitigation

Project planning should include compensatory mitigation for losses of wetland, riparian and aquatic habitats.

We appreciate the opportunity to comment at this early stage of project planning. For further discussion please call Mike Litwin at (812) 334-4261 (Ext. 205).

Sincerely yours,

Michael S. Litwin
Acting Supervisor

cc: Federal Highway Administration, Indianapolis, IN
Director, Indiana Div. of Fish & Wildlife, Indianapolis, IN
IDEM, Office of Water Management (Compliance), Indianapolis, IN
Steve Jose, Indiana Division of Fish and Wildlife, Indianapolis, IN
USFWS, Cookeville, TN
USFWS, Minneapolis, MN (ES-DHC)

Bill Carwile Community Transportation Solutions Incorporated Ten Thousand Building, Suite 110 Louisville, Kentucky 40223

Dear Mr. Carwile:

Thank you for your letter and enclosures of October 15, 1998, concerning the proposed construction of two new crossings of the Ohio River between Clark County, Indiana, and Jefferson County, Kentucky. The Fish and Wildlife Service (Service) has reviewed the information submitted and offers the following comments.

According to our records, the following threatened and endangered species are known to occur in Jefferson County, Kentucky, and may occur in the project impact area:

Indiana bat - Myotis sodalis
Gray bat - Myotis griscescens
Peregrine falcon - Falco pergrinus
Running buffalo clover - Trifolium stoloniferum
Short's goldenrod - Solidago shortii
Pink mucket pearly mussel - Lampsilis orbiculata
Orange-footed pearly mussel - Plethobasus cooperianus

You should assess potential impacts and determine if the proposed project may affect these species. A finding of "may affect" could require initiation of formal consultation. We would appreciate a copy of any survey report on these species done for this project, as well as your determination of effect.

We recommend that you contact our Bloomington, Indiana, field office for information on threatened and endangered species in Indiana. Thank you for the opportunity to comment on this proposal. If you have questions, please contact Timothy Merritt of my staff at 931/528-6481, ext. 211.

Sincerely,

Lee A. Barclay, Ph.D. Field Supervisor

xc: Mr. Wayne Davis, KDFWR, Frankfort, KY Mr. Eric Somerville, EPA, Atlanta, GA

Mr. Jeff Grubbs, KDW, Frankfort, KY



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griculture

Vatural
Resources
Conservation
Service

5013 Lakeside Blvd. ndianapolis, IN 46278-2933 (317) 290-3200 FAX 290-3225 September 2, 1999

Jesse A. Story
Division Administrator
US Dept. of Transportation
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

Dear Mr. Story:

The construction of two new Ohio River Crossings including approaches and connections to existing roadway systems between Clark County, Indiana, and Jefferson County, Kentucky, referred to in your letter of August 16, 1999, will not impact resources within our area of concern.

If you need more information, please contact John Reynolds, 317-290-3200, extension 341.

Sincerely,

ROBERT L. EDDLEMAN State Conservationist



DEPARTMENT OF THE ARMY

U.S. ARMY ENGINEER DISTRICT, LOUISVILLE

CORPS OF ENGINEERS

P.O. BOX 59

LOUISVILLE, KENTUCKY 40201-0059

FAX: (502) 582-5072

November 12, 1999

Operations Division Regulatory Branch (South) ID No. 199900083-kmh

Mr. John Ballantyne U.S. Department of Transportation Federal Highway Administration 330 West Broadway Frankfort, Kentucky 40601

Dear Mr. Ballantyne:

The Louisville District Corps of Engineers will not be involved in the Louisville-Southern Indiana Ohio River Bridges Project as a Cooperating Agency. However, the Louisville District will be involved in review and preparation for the major consensus points as presented at the September 8, 1999, Scoping Meeting to Improve Environmental Streamlining.

As requested, the Draft Purpose and Need Statement has been reviewed with regard to Corps jurisdiction. The document identifies impacts to wetlands and streams as potential issues, and identifies the requirement for potential wetland mitigation but not stream mitigation. Potential stream mitigation must also be identified as a potential requirement. The Corps will provide additional comments regarding issues related to wetland and stream impacts as potential issues and plans for the project develop.

If you have any questions, please contact Ms. Kathleen Higgins of this office at (502) 582-5276. Any correspondence on this matter should refer to our ID Number 199900083-kmh.

Sincerely,

James M. Townsend Chief, Regulatory Branch

Regulatory Branch

1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900x381 FAX: (314)539-3755

> 16591.1/604 OHR September 27, 1999

Mr. Jesse A. Story
Division Administrator
Federal Highway Administration
Kentucky Division
330 West Broadway
Frankfort, KY 40601

Subj: PROPOSED LOUISVILLE AND SOUTHERN INDIANA BRIDGES, MILE 604

OHIO RIVER

Dear Mr. Story:

The Coast Guard agrees to serve as a cooperating agency for the subject bridge project.

The General Bridge Act of 1946 requires that the location and plans for bridges over navigable waters of the United States be approved by the Commandant, U. S. Coast Guard prior to commencing construction. The Ohio River is considered to be a navigable waterway of the United States for bridge administration purposes at the bridge site. The Environmental Impact Statement must address the impacts of the bridge project on present and future navigation.

We appreciate the opportunity to comment on the project in this early stage. You can contact Mr. David H. Studt at the above telephone number if you have questions regarding our comments or requirements.

Sincerely,

Bridge Administrator

By direction of the District Commander

Encl: (1)USCG/FHWA Memorandum of Understanding (2)USCG/FHWA Project Procedures

U.S. Coast Guard/Federal Highway Administration Memorandum of Understanding on Coordinating the Preparation and Processing of Environmental Documents

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to avoid unnecessary duplication of effort by the Coast Guard and the Federal Highway Administration (FHWA), both agencies of the Department of Transportation (DOT), in the preparation and processing of environmental documents pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4332(2)(c)) and other Federal environmental statutes and orders for bridge projects requiring approvals of both the FHWA and Coast Guard. The NEPA requires the Secretary of Transportation to make explicit analyses of environmental consequences of proposed major Federal actions under DOT jurisdiction and prepare detailed statements which analyze and consider the impact of these proposed actions upon the environment. The procedures set forth in this MOU will be utilized to strengthen the early coordination between the Coast Guard and FHWA prior to and during the development of the highway section and environmental processing.

II. Definition

The definitions contained in the Council on Environmental Quality (CEQ) regulations (40 CFR 1500–1508) are applicable to this MOU as well as the following:

- Bridge: The term "bridge and its approaches," as used in 33 CFR 114.05, 1. should be defined in each case by applying proper engineering sense to the facts of the case. The term may be defined generally as including all work integral to the structure itself. For example, if a bridge deck's grade is the same as the grade of the highway approach to it, the point where the abutment terminates would be considered the limit of the bridge. In a case where the bridge deck is at a higher elevation than the approach highway leading up to it, with a change in grade required to reach that elevation, the point where a change in grade in the approach highway occurs would be considered the limit of the bridge. Other bridges, whether highway, railroad, industrial conveyors, pipelines, etc., excepting aerial transmission lines, which are reconstructed, removed, relocated, or otherwise involved in the Federal assistance project requiring approval of the location and plans by the Commandant, U.S. Coast Guard, are included in this definition.
- 2. Bridge Permit: The approval of location and plans of a bridge, pursuant to the provisions of 33 U.S.C. 401, 491 et seq., 511 et seq., 525 et seq., and 535, and Acts of Congress authorizing the construction of bridges, including international bridges.
- 3. Coast Guard: This shall mean the Commandant of the Coast Guard; Chief, Office of Navigation; Chief, Bridge Administration Division; or Commander of a Coast Guard District to the extent of the authority delegated. However, throughout sections IV and V of this MOU, unless otherwise stated, Coast Guard shall mean the Commander of a Coast Guard District.

ENCLOSURE(1)

COMDTINST M16590.5A Enclosure (1)

- 4. FHWA: This shall mean the Administrator, Federal Highway Administrator; the Regional Federal Highway Administrator; or Division Administrator (Division Engineer for Direct Federal highway projects) to the extent of the authority delegated. However, throughout sections IV and V of this MOU, unless otherwise stated, FHWA shall mean the Division Administrator.
 - 5. Highway Agency (HA): The agency with the primary responsibility for initiating and carrying forward the planning, design, and construction of bridges and highways. For bridges and highways financed with Federal—aid highway funds, the HA will normally be the appropriate State highway department. For bridges and highways financed with other funds, such as National Forest, and National Park roads and highways, etc., the HA will be the appropriate Federal or State agency.
 - 6. <u>Federally Aided Highway Project</u>: Highway and bridge projects constructed with the assistance of the FHWA-administered funds, including projects financed from funds transferred to the FHWA from other agencies.
 - 7. Navigable Waters of the United States: (1) For purposes of bridge administration, "navigable water of the United States" means the following (unless specifically declared otherwise by Congress):
 - a. I the territorial sea; notice of the sea of the
 - b. internal waters subject to tidal influence; and
 - c. internal waters not subject to tidal influence, which
 - (1) are or have been used, or are or have been susceptible for use, by themselves or in connection with others, as highways for <u>substantial interstate or foreign commerce</u>, notwithstanding obstructions that require portages; or
 - (2) a governmental or nongovernmental body having expertise in waterway improvement determines or has determined to be capable of improvement at a reasonable cost (a favorable balance between cost and need) to provide, by themselves or in connection with others, highways for <u>substantial</u> interstate or foreign <u>commerce</u>.

III. Lead Agency for Environmental Processes

Except as provided for in Section 144(h) of Title 23 U.S.C., the Coast Guard must approve (issue a permit for) the location and plans for highway bridges crossing navigable waters of the United States. A significant number of these bridges are constructed with the assistance of Federal funds administered by the FHWA.

The actions by the FHWA and Coast Guard require an evaluation under the term of NEPA, as implemented by the CEQ Regulations (40 CFR 1500–1508), DOT Order 5610.1C, applicable parts of the operating agencies' directives (FHPM 7–7–2 and Commandant Instruction M 16475.1A), and other Federal environmental statutes and orders. The CEQ regulations strongly encourage that a single

agency (lead agency) be designated to handle the NEPA responsibilities where related actions by several Federal agencie are to be taken. The lead agency, in such instances, assumes the responsibility for consultation with other agencies, coordinating necessary environmental studies and evaluations, and preparation of any NEPA-related determination or document for review by the cooperating Federal agencies prior to making it available for public review.

The Coast Guard and the FHWA agree that, when a highway section requires an action by both FHWA and Coast Guard, the FHWA will normally serve as the lead agency for the preparation and processing of environmental documents.

IV. Responsibility of the FHWA

- A. FHPM 7–7–2 defines three classes of actions which prescribe the level of documentation required in the NEPA process. These are:
 - Class I (EIS's) Actions that require an EIS.
 - Class II (Categorical Exclusions) Actions that do not individually or cumulatively have a significant effect on the environment.
 - 3. Class III (Environmental Assessments) Actions in which the significance of the impact on the environment is not clearly established. All actions that are not Class I or Class II are Class III. For these actions, an environmental assessment (EA) must be prepared culminating in a decision to prepare an EIS or a finding of no significant impact (FONSI).

The above documents shall demonstrate, where applicable, consideration of and compliance with the requirements of other Federal environmental statutes and orders, including but not limited to:

23 U.S.C. 138 and 49 U.S.C. 1653(f) (Section 4(f) of the Department of Transportation Act of 1966);

16 U.S.C. 461, et seq., Archeological and Historic Preservation Act and 23 U.S.C. 3054;

16 U.S.C. 662, Section 2 of the Fish and Wildlife Coordination Act;

16 U.S.C., 1452, 1456, Sections 303 and 307 of the Coastal Zone Management Act of 1972;

16 U.S.C. 1536, Section 7 of the Endangered Species Act of 1973;

33 U.S.C. 1251, et seq., Clean Water Act of 1977;

42 U.S.C. 300(f), et seq., Safe Drinking Water Act of 1974;

42 U.S.C. 4371, et seq., Environmental Quality Improvement Act of 1970;

42 U.S.C. 4601, et seq., Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(6) 3.0 for some (42 U.S.C. 4901) et seq., Noise Control Actiof 1972; in the body of the control Action 1972; in the body of the control Action 1972.

42 U.S.C. 7401, et seq., Clean Air-Act; 42 U.S.C. 2000(d)-(d)4, Title VI of the Civil Rights Act of 1964;

> Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended by Executive Order 11991. dated May 24, 1977;

Executive Order 11593, Protection and Enhancement of the Cultural Environment, dated May 13, 1971, implemented by DOT Order 5650.1, dated November 20, 1972;

Executive Order 11988, Floodplain Management, dated May 24. 1977, implemented by DOT Order 5650.2, dated April 23, 1979:

Executive Order 11990, Protection of Wetlands, dated May 24, 1977, implemented by DOT Order 5660.1A, dated August 24, 1978.

- It is the intent of this MOU that the data developed and the evaluation of B. impacts upon the human environment set forth in the appropriate environmental document will satisfy the requirements of both FHWA and the Coast Guard. In order to achieve this result, it is incumbent upon FHWA to initiate early and to maintain continuing coordination with the Coast Guard throughout the NEPA phase of project development. Accordingly, it is the responsibility of FHWA to take the following actions:
 - As the lead agency, FHWA shall be responsible for the preparation 1. of the appropriate documentation for Class I, II, or III projects in accordance with the requirements of FHPM 7–7–2.
 - The FHWA shall consult with the Coast Guard prior to determining 2. that any project which may require a Coast Guard bridge permit is a Class I, II, or III action.
 - For each project that may require a Coast Guard bridge permit and 3. is to be processed as a Class I or Class III action, FHWA will request that the Coast Guard become a cooperating agency.
 - For Class I projects, FHWA will continue to consult with the Coast 4. Guard during the preparation of both the draft and final EIS.
 - 5. For Class II projects, FHWA will provide the Coast Guard with information which documents that a project is a categorical exclusion.
 - For Class III projects, FHWA will consult with the Coast Guard 6. during the preparation of both the environmental assessment, and if so determined, the FONSI.
 - The FHWA will consult with the Coast Guard relative to the need for 7. highway and Coast Guard public hearing opportunities and consider a joint public hearing where appropriate.

- 8. If FHWA determines, pursuant to Section 144(h) of Title 23 U.S.C., that a project is exempt from a Coast Guard permit, it shall so notify the Coast Guard of same if FHWA believes that sufficient navigation exits to require the establishment, maintenance, and operation of lights and signals as required under 14 U.S.C. 685.
- 9. When a difference of opinion arises between the FHWA Division Administrator and the Coast Guard District Commander relative to the proper class of action or adequacy of environmental documentation, the FHWA Division Administrator shall meet with the Coast Guard District Commander and attempt to resolve the issue. If the issue is not resolved, the FHWA Division Administrator shall so notify the FHWA Regional Administrator who, in turn, shall consult with the District Commander. If the issue is not resolved at the FHWA Regional Office level, the Regional Administrator shall refer it to the FHWA Associate Administrator for Right-of-Way and Environment for appropriate handling.
- 10. The FHWA will ensure that the environmental documentation submitted to the Coast Guard with the permit application is complete with respect to satisfying NEPA and other Federal environmental statutes and orders.

V. Responsibility of the Coast Guard

It is the responsibility of the Coast Guard to take the following actions:

- The Coast Guard shall cooperate with and provide guidance to FHWA and the HA during the determinations of class of actions and in the preparation of appropriate environmental documentation relative to its areas of jurisdiction.
- 2. The Coast Guard will furnish names of waterway organizations to FHWA and the HA with whom consultation should be made during the development of environmental studies and to whom copies of the draft environmental documents should be sent for review.
- 3. Provided coordination has been accomplished in accordance with this MOU, the Coast Guard will ordinarily accept FHWA's environmental documentation as satisfactory compliance with NEPA for the purpose of processing the bridge permit application.
- 4. Where it is necessary for the Coast Guard to hold a hearing or public review of the navigational aspects of the proposal, the Coast Guard notice will make reference to the approved FHWA environmental documentation. It is not the intent of the Coast Guard notice to invite review and comment on approved FHWA environmental documentation.

Concur_R. A. BARNHART /S/	Concur <u>J. B. HAYES /S/</u>
Federal Highway Administrator	Commandant, U.S. Coast Guard
Date 27 April 1981	Date 6 May 1981

COMDTINST M16590.5A Enclosure (1)

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24/87/9 Miles

USCG/FHWA Procedures for Handling Projects Which Require a USCG Bridge Permit

Federal Highway Administration (FHWA/State) Activities

- 1. System Planning Activities
- 2. Project Initiation Activities
- 3. Preliminary Environmental/ Location Studies
 - (a) Data gathering
 - (b) Determine if a USCG permit is required (see FHWA Notice N5140.19).
 - (c) If a permit is required, initiate coordination with USCG, and request USCG (District) to be cooperating agency as per CEQ Regulations.
 - (d) Assess navigation needs in cooperation with USCG; provide information to USCG if preliminary notice is to be issued; i.e., plans, clearances, description of project, etc. Clarify environmental review scoping responsibilities as necessary.
 - (e) Advise the USCG district ASAP of proposed Programmatic Section 4(f).
 - 4(a) Issue draft EIS or EA and include discussion of navigation needs and potential highway impacts; continue coordination with Coast Guard.
 - 4(b) Consider joint FHWA/State and Coast Guard public notice and hearing(s), especially in controversial cases.

U.S. Coast Guard (USCG)
Activities

3(d) Assess navigational needs and assist FHWA/State with draft EIS or EA; consider, as appropriate, preliminary public notice of project locations and evaluation of possible effects on waterway. Advise FHWA/State whether the proposed project meets the reasonable needs of navigation or is controversial.

- 4(a) Comment on navigational and environmental aspects of draft EIS or EA concentrating on the bridge(s) and approaches, with particular emphasis on adequacy of proposed clearances.
- 4(b) Participate in joint pubic notice and hearing(s)
 - (1) where requested by FHWA/State,

ENCLOSURE(2)

COMDTINST M16590.5A Enclosure 2

Federal Highway Administration (FHWA/State) Activities

5. Select highway location and prepare final EIS or FONSI; respond to comments received on navigation and environmental aspects of highway bridges. If the USCG has not provided comments on the navigation aspects, contact the USCG and obtain their views on the adequacy of the proposed

6. Furnish preliminary final EIS or FONSI to USCG for review, as appropriate.

clearances.

- Whenever practicable submit application for USCG permit. (Permit application(s) may include alternate bridge designs.) Resolve any outstanding issues.
- 8. FHWA approval of final EIS or FONSI. Complete submission for permit application as required. If Programmatic Section 4(f) is used, provide USCG with the supporting information for determining its applicability including alternatives, mitigation measures, and FHWA/SHPO agreement.
- If permit has not been previously submitted, apply for permit as soon as practicable after design work commences.

 Complete bridge design. If alternate designs submitted, notify USCG of alternate selected within 30 days of bid award.

U.S. Coast Guard (USCG) Activities

- (2) When sufficient information is available on a given bridge to avoid separate USCG hearing.
- 5. Upon request, assist in preparing responses to any navigational issues received on environmental document.

- 6. Review preliminary final EIS or FONSI and comment, as appropriate.
- 7. When permit application is included, review for completeness and issue formal public notice.

- 9(a) For applications submitted after approval of final EIS or FONSI, District reviews application and issues formal public notice.
- 9(b) District concurs in resolution of any outstanding issues; forwards permit application with recommendation to Washington Headquarters or acts on permit application where appropriate.

1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900x381 FAX: (314)539-3755

16591.1/604 OHR October 4, 1999

Mr. Jesse Story Division Administrator Federal Highways Administration-Kentucky Division 330 W. Broadway Frankfort, KY 40602

Subj: PROPOSED LOUISVILLE-SO. INDIANA BRIDGES PROJECT, MILE 604,

OHIO RIVER

Dear Mr. Story:

We have reviewed the preliminary draft Purpose and Need document dated August 23, 1999. In as much as the Coast Guard represents navigation interests on the navigable waterways of the United States we do not have any comment relating to the surface transportation needs as described in the document. However since surface transportation needs require additional Ohio River crossings we will review the studies of bridge locations for impacts on navigation. New bridges require processing bridge permit applications to the Coast Guard for review and approval. Our primary objective in approving a permit is to assure that a bridge provides for the safe and reasonable needs of navigation.

Thank you for giving us this opportunity to participate in the early coordination of the subject project and the Coast Guard looks forward to participation, as a cooperating agency, in the project development.

Sincerely,

ROGER K. WIEBUSCH

Bridge Administrator

By direction of the Commander



Commander (obr)
Eighth Coast Guard District

1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900x381 FAX: (314)539-3755

16591.1/604 OHR November 18, 1999

Mr. Jere Hinkle Deputy Project Manager Community Transportation Solutions, Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

Subj: PROPOSED LOUISVILLE BRIDGES, MILE 604+/-, OHIO RIVER

Dear Mr. Hinkle:

This is in reply to your letter of September 15, 1999 in which you requested navigational clearances for several proposed bridge crossings. In our previous correspondence regarding this matter we stated general guidance of 900 feet horizontal clearance and vertical clearance of 55 feet above the 2% flowline or 69 feet above normal pool (for avg. June flow), whichever is greater. In the case of a companion bridge within 100 feet of the JFK Bridge the vertical clearance must equal that of the existing bridge of 71 feet above normal pool.

Channel pier placement is dependent on the specific bridge crossing location. Required pier placement locations for the proposed alternatives are shown below:

Proposed Crossing	Pier Placement	Minimum Horizontal Clearance
Troposed Crossing	Tier Tideement	
Mile 594.8	To provide minimum 800 feet navigation span in middle of river	800 feet
595.1	Same as above	800 feet
595.4	Same as above	800 feet
598.5	To provide minimum 1,000 feet navigation span in middle of river	1,000 feet
603.2	Must be landward of the existing JFK Bridge piers. Neither pier construction nor completed pier can block view of existing bridge piers. Piers to be 110 feet landward from existing piers.	900 feet
	nom exismis biers.	700 ICCI

Subj: PROPOSED LOUISVILLE BRIDGES, MILE 604+/-, OHIO RIVER

		Minimum
Proposed Crossing	Pier Placement	Horizontal Clearance
Mile 604.1	Kentucky (Left descending) pier must be on Kentucky bank; Right descending pier must lined up with dike at canal entrance (800 feet from left bank)	800 feet

The Mile 603.2 crossing for the proposed companion bridge to the JFK Bridge, Mile 603.1, is the preferred alternate for the downtown crossing. The piers of the companion bridge must be located about 110 feet to the right and left, respectively of the existing right and left channel piers of the JFK Bridge. This distance is to ensure the view of the existing bridge piers is not obstructed by either cofferdam and pier construction or the completed pier.

A bridge located at Mile 604.1 will impact navigation when vessels position for passage through the Louisville and Portland Canal. Pier placement will require the left descending pier be on the Kentucky bank and the right descending pier extend riverward to line up with the vane dike at the canal entrance.

The above horizontal clearances and pier locations have been determined for the specific alternatives only. If there is any change to a crossing location, the Coast Guard will need to readdress pier placement and horizontal clearance on a case-by-case basis. If there are any questions, please contact Mr. Dave Studt at the above number.

Sincerely,

ROGER K. WIEBUSCH

Bridge Administrator

By direction of the Commander

Copy: Msrs. John Clements/Jim Zei, CTS

Mr. John Ballantyne, KYDOT

Msrs. Bill Hemming/Ken Serzan, Steinman, Parsons Transp. Group



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

REPLY TO THE ATTENHONOF:

B-19J

NOV 03 1999

Jesse A. Story, Administrator Kentucky Division Office Federal Highway Administration 330 West Broadway Frankfort, Kentucky 40601

Dear Mr. Story:

The United States Environmental Protection Agency in Region 5 (U.S. EPA) has received your August 31, 1999, letter. Your letter invites the U.S. EPA to become a cooperating agency under the National Environmental Policy Act (NEPA) and requests we identify the U.S. EPA regional office that will be the lead contact for the Louisville - Southern Indiana Ohio River Bridges Project (Louisville Bridges Project). Ms. Virginia Laszewski of my staff, attended the September 8, 1999, scoping meeting for this project. At that time, she identified our Region 5 office as the lead contact for the U.S. EPA. In addition, she requested the Federal Highway Administration (FHWA) send the U.S. EPA, Region 4 office, in Atlanta, duplicate copies of all information provided to Region 5 during the course of this project, including the draft/draft Purpose and Need document.

After serious consideration of your agency's invitation, we respectfully decline this opportunity to become a cooperating agency. Our decision is based on the limited amount of resources available, and our regulatory responsibilities under Section 309 of the Clean Air Act. However, we are willing to support your efforts by participating in meetings and field visits, and by providing technical reviews of summary documents to the maximum extent staff time and travel funds allow. In any case, we will be involved with this project through our Section 309 responsibilities. We had planned to provide comments on the draft/draft Purpose and Need document by November 1, 1999. However, as of October 27, 1999, Region 4 had not received a copy of the document from FHWA. Ms. Laszewski recently sent Region 4 a copy. We now plan to provide our comments by November 30, 1999.

Thank you for extending us the opportunity to become a cooperative agency. Ms. Virginia Laszewski is our point of contact for this project. If you have any questions or comments, please contact Virginia at (312) 886-7501 or by c-mail, laszewski.virginia@epa.gov.

Sincerely yours,

Shirley Mitchell, Deputy Director

thurley mitchell

Office of Strategic Environmental Analysis

FHWA, 575 North Pennsylvania Street, Room 254, Indianapolis, Indiana 46204 cc: (Attention: John R. Baxter, Division Administrator)

FHWA, P.O. Box 536 Frankfort, KY 40602 (Attention: John Ballantyne, Project Management Engineer)

INDOT, Division of Preliminary Engineering and Environment, 100 North Senate Avenue, Room N755, Indianapolis, Indiana 46204-2249

(Attention: Janice Osagczuk)

U.S. EPA, Region 4, Atlanta Federal Center, 61 Forsyth Street, Atlanta, GA 30303-3106 (Attention: Al Lucas)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 80604-3590

REPLY TO THE ATTENTION OF:

DEC 02 1999

B-19J

Jesse A. Story, Administrator Kentucky Division Office Federal Highway Administration 330 West Broadway Frankfort, Kentucky 40601

Dear Mr. Story:

The United States Environmental Protection Agency (U.S. EPA) has reviewed the draft/draft Purpose and Need document dated August 23, 1999, for the Louisville - Southern Indiana Ohio River Bridges Project in Louisville metropolitan area. This document was provided to Region 5 during the September 8, 1999, scoping meeting. Region 4 received their copy from FHWA after October 27, 1999. As the lead EPA Regional Office for this project, we offer the following comments for your consideration in preparing a revised draft Purpose and Need document for future review.

At this time INDOT and KTC in conjunction with FHWA are working on a Purpose and Need Statement with supporting documentation that will become part of a Draft Environmental Impact Statement (DEIS). The Council on Environmental Quality NEPA implementing regulations (Section 1502.4(a)) state: "Agencies shall make sure the proposal which is the subject of an EIS is properly defined." An EIS shall specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action. (Section 1502.13) "[A] "proposal" exists at the stage in the development of an action when the agency subject to [NEPA] has a goal, and is actively working toward making a decision on one or more alternative means of accomplishing that goal and the effects can be meaningfully evaluated." (Section 1508.23)

A "proposal" consists of four components: (1) The goal (the need for action and its associated objectives (i.e., purposes); (2) The decision to be made, which determines the scope of the analysis; (3) One or more alternative means (including the proposed action) of accomplishing the purpose and need; and, (4) The issues, in a form in which they can be meaningfully evaluated, such as cause-and-effect relationships. Purpose and Need (P&N) documentation should clearly identify and describe the underlying problem/s or deficiency that require a need for action. The data and analysis substantiating the problem/s or deficiency identified should be presented.

In our joint Region 5/Region 4 prescoping letter dated February 22, 1999, we advised that an adequate and clear Purpose and Need statement will need to be developed from which the

Alternatives Analysis will be based and all Feasible Alternatives identified. We advised that if the Purpose and Need statement is, unclear, too broad, and/or too far ranging, then it may be extremely difficult and/or costly for INDOT and KTC to substantiate purpose and need with the appropriate documentation and studies that would be necessary in order to comply with NEPA and the Section 404(b)(1) guidelines of the Clean Water Act (CWA).

The current P&N document fails to clearly and adequately identify the main underlying problem/s or deficiencies that require a need for action. The P&N document fails to provide sufficient data and analysis to adequately support each stated problem or deficiency. The information that is provided to substantiate the numerous general statements in the document is insufficient. Consequently, the associated objectives (i.e., purposes), with which the effectiveness of each alternative in fulfilling the need for action are to be based, are not readily identified or supported. As you are aware, objectives must not be set so narrowly that they exclude reasonable alternatives from consideration.

Proposal vs Proposed Action - A proposed action is an alternative not a proposal. At this time in the EIS process you are working on writing a Purpose and Need Statement with supporting documentation and not on identifying alternatives. We suggest you consider changing the title of Section 1.1 from "Purpose of the Proposed Action" to "Statement of Purpose and Need" and revise the document accordingly.

Statement of Purpose and Need - Although the P&N does not identify a specific "Statement of Purpose and Need" we assume the first two paragraphs in this section are proposed as the Purpose and Need Statement upon which the Alternatives Analysis would have been based. They are:

As the greater Louisville area has continued to grow, increased domands have been placed upon the existing transportation network. This is evident in the growing traffic volumes and congestion on the three bridges across the Ohio River: the Kennedy Memorial Bridge (I-65), the Clark Memorial Bridge (IJS 31) and the Sherman Minton Bridge (I-64). Peak period traffic congestion also occurs at the junction of three interstate highways (I-64, I-65, and I-71) near downtown Louisville, in the complex and congested Kennedy Interchange, which is locally referred to as Spaghetti Junction.

The purpose of the Ohio River Bridges Project is to address transportation across the Ohio River and transportation deficiencies in the Louisville-Southern Indiana Metropolitan area, to include: reducing traffic congestion and accident problems in Spaghetti Junction, on the Kennedy Bridge, and on I-65 in Indiana immediately north of the Ohio River and improvement to the linkage of the Louisville regional transportation system, including multi-modal access across the Ohio River.

Travel Delays - The only underlying problems in the above two paragraphs where data and analysis are provided to substantiate a need for action are traffic volume and congestion in Spaghetti Junction, on the three bridges, and on 1-65 in Indiana immediately north of the Ohio

River. This information is provided in Section 1.6 (Future No Action Travel Conditions).

Accidents and Other Incidents - Section 1.7 (Accidents and Other Incidents) provides a description of the roadway design and an "Accident Simulation" to substantiate that accidents in Spaghetti Junction contribute to traffic delays and consequently congestion problems in this area. However, this brief section also states: "Within Spaghetti Junction, the 1995-1997 traffic accident rate was 150 percent higher than the statewide average for urban interstate highways in Kentucky. Likewise, the accident rates for I-65 within the project area were 50 percent higher than the Kentucky urban rate." While the Kentucky urban rate, number of accidents, injuries and specific accident locations are not provided it would appear that there may be a significant underlying "safety need" for Spaghetti Junction that is going unaddressed in the Purpose and Need Statement. We note that accident information for the Indiana side of the project area is not provided.

Transportation System Linkage/Multimodal Access - The Purpose and Need Statement implies that one of the objectives of the proposal is to improve the linkage of the Louisville regional transportation system because of "transportation deficiencies" in the Louisville-Southern Indiana Metropolitan area. The stated transportation deficiencies in Section 1.8 (Transportation System Linkage/Multimodal Access) revolve around general problem statements of travel times and distances for the general public and businesses in the eastern parts of Louisville and Southern Indiana. However, the data and analysis to demonstrate the transportation deficiencies claimed and their extent for this castern area was not provided. If the purpose of this proposal is to address transportation deficiencies in Louisville and Southern Indiana, than the travel times and distance data should be analyzed and compared in relation to travel times and distance data for other Louisville Southern Indiana Metropolitan area residents and businesses. If INDOT and KTC have studies that provide information to support their claim, then this information should be included in the revised draft P&N document. This information should include but not be limited to the kinds of travelers (e.g., commuters, commercial traffic), numbers (i.e., not percentages) of vehicles (e.g., cars, small trucks, large trucks), and specific origin and destinations, travel delay hours, costs incurred due to delay and distances traveled. If this information does not exist, then the basis for making this claim needs to be included.

This section includes other general statements that imply economic benefits from an improved transportation system linkage in the eastern end of Louisville and Southern Indiana. However, the economic analysis that would be needed to support this claim is not provided. If this information does not exist, then the basis for making this claim also needs to be clearly stated. Additionally, if one of the goals of highway improvement is to stimulate residential and/or commercial development in any sector of the project area, then this fact needs to be documented.

The P&N document does not adequately identify and/or substantiate the underlying problems. Consequently, some of the objectives (i.e., purposes) claimed in the current Purpose and Need Statement have not been clearly demonstrated with supporting data. This portion of an EIS is to set measurable objectives that will determine the range of feasible alternatives that address the

underlying problems that exist. If the current Purpose and Need Statement cannot be substantiated by appropriate documentation, then a new Purpose and Need Statement should be developed based on the substantiated needs identified and documented accordingly in the revised draft Purpose and Need document. A clear and supportable Purpose and Need Statement is needed in order to comply with NEPA and Section 404 of the Clean Water Act.

We appreciate the opportunity to comment on this draft/draft Purpose and Need document. We are available for further discussion and consultation. We look forward to reviewing the revised draft Purpose and Need document. If you have any questions or comments, please contact Virginia Laszcwski of my staff at (312) 886-7501 or by e-mail, laszcwski.virginia@epa.gov.

Sincerely yours,

Shirley Mitchell, Deputy Director

Office of Strategic Environmental Analysis

cc: FHWA, 575 North Pennsylvania Street, Room 254, Indianapolis, Indiana 46204 (Attention: John R. Baxter, Division Administrator)

FHWA, P.O. Box 536 Frankfort, KY 40602 (Attention: John Ballantyne, Project Management Engineer)

INDOT, Division of Preliminary Engineering and Environment, 100 North Senate Avenue, Room N755, Indianapolis, Indiana 46204-2249 (Attention: Janice Osagezuk)

U.S. EPA, Region 4, Atlanta Federal Center, 61 Forsyth Street, Atlanta, GA 30303-3106 (Attention: Heinz Mueller)



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

nk O'Bannon emor

Lori F. Kaplan Commissioner October 13, 1999

100 North Senate Avenue P.O. Box 6015 Indianapolis, Indiana 46206-6015 (317) 232-8603 (800) 451-6027 www.state.in.us/idem

Mr. Jeffrey A. Vlach Community Transportation Solutions Inc. Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

Re:

Louisville - Southern Indiana Ohio

River Bridges Project

Dear Mr. Vlach:

The Indiana Department of Environmental Management (IDEM) would like to provide comments on the Agency Scoping Meeting of September 8, 1999.

IDEM's main concern in reviewing this project, based on our authority under Section 401 of the federal Clean Water Act, will be impacts contributing to a degradation of water quality. Information necessary for IDEM to conduct a Section 401 Water Quality Certification review (WQC) includes, but are not limited to, the following:

- 1. Linear feet of stream relocation or manipulation, including riparian corridor impacts, and a mitigation plan to compensate for the impacts, if applicable.
- 2. Area and type of wetland impacts, including a wetland mitigation plan to compensate for the lost uses of the wetlands, if applicable.
- 3. Area of pit/lake fill.
- 4. Documentation of avoidance and minimization of impacts to all water resources to the greatest extent possible.
- 5. Description of impacts to the Ohio River, including a mitigation plan, if applicable.
- 6. Amount of dredging in the Ohio River and disposal locations. Disposal of dredged material must comply with Indiana's solid waste rules and testing is often required.
- 7. Secondary impacts to water resources, such as highway runoff to existing wetlands and impacts to these resources from increased development.

Finally, IDEM is requesting to receive copies of baseline studies of potentially-impacted water resources. We will provide more specific comments when further information is available.

Please contact Ms. Megan Fisher, at 317/233-0467, with any questions or comments. IDEM appreciates being involved in the early coordination of this project.

Sincerely,

Matthew C. Rueff

Assistant Commissioner

Office of Water Management



COMMONWEALTH OF KENTUCKY

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

FRANKFORT OFFICE PARK 14 REILLY RD FRANKFORT KY 40601

October 4, 1999

Jere J Hinkle
Deputy Project Manager
Community Transportation Solutions Incorporated
Ten Thousand Building Suite 110
Shelbyville Road
Louisville KY 40223

Re:

Scoping Document for Ohio River Bridges Project in Indiana, Jefferson County Kentucky

(SERO 99-49).

Dear Mr. Hinkle:

The Natural Resources and Environmental Protection Cabinet (NREPC) serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky State Agencies.

The Kentucky agencies listed on the attached sheet have been provided an opportunity to review the above referenced report. Responses were received from nine (also marked on attached sheet) of the sixteen agencies. Attached are comments from the Kentucky Divisions of Water, Waste Management, and the Kentucky Nature Preserves Commission. The Kentucky Division for Air Quality specifies the need for compliance with all Federal, State and local regulations to control air pollution, and you have previously received comments from Kentucky Division of Conservation (also attached). If any further comments are submitted, they will be forwarded at that time.

If you should have any questions, please contact me at (502) 564-2150, ext. 112.

Sincerely, Alex Barber

Alex Barber

Enclosure





NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET ENVIRONMENTAL REVIEW

Scoping Document for Ohio River Bridges Project in Indiana, Jefferson County Kentucky

The following agencies were asked to review the above referenced project. Each agency that returned a response will appear below with their comments and the date the project response was returned.

C denotes Comments NC denotes No Comment IR denotes Information Request NR denotes No Response

REVIEWING AGENCIES:

Division of Water •	comments
Division of Waste Management	comments
Division for Air Quality	comments
Department of Health Services	
Economic Development Cabinet	
Division of Forestry	nc
Department of Surface Mining Reclamation & Enforcement	nc
Department of Parks	
Department of Agriculture	,
Nature Preserves Commission	comments
Kentucky Heritage Council	
Division of Conservation	comments
Department for Natural Resources	-
Department of Fish & Wildlife Resources	-
Transportation Cabinet	nc
Department for Military Affairs	nc



COMMONWEALTH OF KENTUCKY

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

FRANKFORT OFFICE PARK 14 REILLY RD FRANKFORT KY 40601

MEMORANDUM

TO:

Alex Barber

State Environmental Review Officer

Department for Environmental Protection

FROM:

Timothy Kuryla T/C

EIS Coordinator
Division of Water

DATE:

^a September 30, 1999

SUBJECT:

SN, Possible Bridge Locations over the Ohio River, (Jefferson County), SERO

990820-49

The Division of Water has reviewed the Scoping Notice for an Environmental Assessment to be prepared by the Kentucky Transportation Cabinet and the Indiana Department of Transportation regarding the construction of I-265 and downtown Louisville bridges over the Ohio River (Jefferson County). The Division of Water comments discuss matters the Division desires addressed in the EA.

FLOODPLAIN CONSTRUCTION

A Division of Water jurisdiction stream covers a drainage of more than 1 square mile (mi², 640 acres). Kentucky Transportation Cabinet is exempt for all activity within a highway or bridge right of way. If a floodplain outside the right of way is involved, prior approval must be obtained from the Division before construction may begin.

WATER QUALITY Wetlands

The EA needs to determine if the project can result in a discharge of dredge or fill material into:

• 200 linear feet of any "blue line" stream (as shown on the U.S. Geological Survey 7.5 minute topographical map for the project area), or



• One acre or more of any wetland.

If there is such a discharge, then a 33 USC § 1341 ("401") water quality certification by the Division of Water for the U.S. Army Corps of Engineers and a 33 USC § 1344 ("404") dredge or fill permit must be obtained. Based on the SN data, the Division finds that 33 USC § 1341 certification will be required.

Construction Practices

In project construction, Best Management Practices (BMPs) must be utilized to prevent nonpoint source pollution and, thereby, control stormwater runoff and sediment damage to water quality and aquatic habitat. The EA must outline the BMPs proposed to be used. For technical assistance on the kinds of BMPs most appropriate for construction, please contact the Jefferson County Soil and Water Conservation District or the Division of Conservation of the Natural Resources and Environmental Protection Cabinet. The Division of Water, also, has available BMP construction manuals.

The Division of Water notes the relevant portions of the Transportation Cabinet's Standard Specifications for Road and Bridge Construction are Sections 212 and 213. Section 212 governs the protection and stabilization of those areas exposed to erosion as the result of construction practices. Section 213 protects water quality by governing construction practices that can result in nonpoint source pollution.

The Division of Water finds that these guidelines adequately address possible highway and bridge construction impacts on aquatic habitat and propose appropriate mitigation measures that insure minimal sediment and other damage to water quality. These sections can be cited in the EA in lieu of outlining the proposed BMPs.

c: John Dovak, Water Quality Branch Leon Smothers, Water Resources Branch

Comments for Project #SER099-49

The sponsor of the project must work with the Division of Waste Management's Superfund Branch in completing the Environmental Impact Statement, as this project's locations possibly involve state superfund sites.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET ENVIRONMENTAL REVIEW TRANSMITTAL

Date:

8/20/99

Project Number: SERO99-49

Title:

PECEIVED Scoping Document for Ohio River Bridges Project in Indiana, Jefferson Cour

Kentucky

Sponsor: Community Transportation Solutions, Inc., 10000 Shelbyville Road, Louisville,

40223

Comment Deadline: September 21, 1999

The Natural Resources and Environmental Protection Cabinet serves as the state clearinghouse for environmental review for Kentucky State Government. Comments received from your agency are forwarded with all other state agency comments to the originating sponsor. If your agency is unable to meet the comment deadline listed above, please contact Alex Barber at (502) 564-2150 extension 112 prior to the due date and suitable arrangements will be made.

Review Instructions: Respond directly to the Sponsor described above on this project.

Please review the enclosed document carefully, bearing in mind the quality of the statement and the impact of the project. If the document is the Final EIS, consider the response made to your own and other agency's previous comments. Retain a copy of this form for your own files and return one with your comments to:

Department for Environmental Protection

Commissioner's Office Attn: Alex Barber 14 Reilly Road Frankfort, Kentucky 40601

Response:

🗖 Comments Attached

☐ No Comment

Information Request

Date: _

, Phone:、

by with all Federal, acal regulations to control

Barber, Alex (NREPC, DEP)

Palmer-Ball, Brainard (NREPC, KSNPC) Tuesday, September 14, 1999 5:05 PM

Barber, Alex (NREPC, DEP)

_ect:

KSNPC response to KIRP

TO: Alex Barber, NREPC-DEP, Intergovernmental Review Coordinator

FROM: Brainard Palmer-Ball, Jr., Ky State Nature Preserves Commission

RE: KSNPC response to KIRP

DATE: September 3, 1999

RE: Project No. SER099-49 (Scoping Document for Ohio River Bridges Project in Indiana, Jefferson Co., KY).

The Kentucky State Nature Preserves Commission (KSNPC) has reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by KSNPC occur within the project area. In this assessment we have come across several concerns.

Our main concern is the potential for the project to impact Six Mile Island State Nature Preserve. We discourage the placement of a bridge along the "Near East Corridor" and the southern most "Far East Corridor" due to their close proximity to Six Mile Island State Nature Preserve. While neither of these corridors cross directly over the island they are close enough to negatively impact the nature preserve. The excessive noise created by high speed, high volume traffic and the negative visual impact of the highway bridge(s) would diminish Six Mile Island State Nature Preserve's value as a natural area. One of the two northern most "Far East Corridors" would be much more compatible with the needs of the island as a natural area and with the recreational opportunities available at the nature preserve.

Two KSNPC-monitored species have been documented in the shallow waters surrounding Six-Mile Island State Nature Preserve: Vallisneria americana (Eel-grass) is present along the banks of this preserve along with Lithasia verrucosa ose rocksnail). Both of these species are listed by KSNPC as special concern elements. Special concern elements xa that either exist in limited geographic areas, or have certain characteristics or requirements that make them ecially vulnerable to specific pressures. Therefore, any disturbance to these species or their habitats should be munimized.

Also present within the project area are two federally endangered and KSNPC-monitored (endangered status) bats. Myotis sodalis (Indiana bat) has been documented from the project area not far from the proposed "Near East Corridor". Myotis grisescens (Gray myotis) has been documented from an area between the "Near East Corridor" and the southernmost "Far East Corridor" (closer to the second of the two above named sites). Potential impacts to populations of both species should be thoroughly assessed in the scoping process.

Another potential concern would be for mussel beds that may exist at possible construction sites. Although all records of rare mussels are from a number of years ago, mussel beds could be located in the Ohio River within the project area. For this reason, KSNPC recommends that mussel surveys be conducted for areas in which construction may impact the aquatic habitat.

There are also several occurrences of KSNPC special concern birds within the general vicinity of the project area. The following species could be present in suitable habitat if it occurs within the project area: Accipiter striatus (Sharp-shinned hawk), Ammodramus henslowii (Henslow's sparrow), Cistothorus platensis (Sedge wren), Passerculus sandwichensis (Savannah sparrow), Thryomanes bewickii (Bewick's wren) and Tyto alba (Barn owl).

If you have any questions, please feel free to contact us at (502) 573-2886.

Cordially,

Donald S. Dott, Jr. Director



COMMONWEALTH OF KENTUCKY

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR NATURAL RESOURCES

DIVISION OF CONSERVATION 663 TETON TRAIL FRANKFORT, KENTUCKY 40601

September 20, 1999

Mr. John Clements Community Transportation Solutions, Inc. 1000 Shelbyville Road, Suite 110 Louisville, Kentucky

Dear Mr. Clements:

This letter is in regards to the scoping document for the Ohio River Bridges Project in Clark County, Indiana and Jefferson County, Kentucky.

This agency's concerns and comments remain the same as stated in correspondence to you dated December 23, 1998.

Again our primary concerns are loss of farmland, prime, unique, or locally important and impacts to water quality caused by construction activities.

Loss of farmland is always an important issue. We would hope that of the two possible routes mentioned in the Ohio River Major Investment Study, all planning and design would be done to minimize the loss of farmland. The document, Soil Survey of Jefferson County Kentucky, USDA 1996, could be useful in identifying prime, unique or locally important farmland in those areas.

We would also like to mention that presently, there are no established Agricultural Districts or Purchase of Agriculture Conservation Easement (PACE) agreements in the project area. These two state programs are designed to protect Kentucky's farmland from conversion into non-farmland uses.

Our other concern is protection of streams, wetlands, and groundwater if and when this project does become a reality. Impacts from construction activities such as erosion and sedimentation can significantly affect water quality in the Ohio River, Harrods Creek, Goose and Little Goose Creeks, or any of the several, unnamed, intermittent streams. We would like to stress the need to follow federal and state guidelines for protecting these important surface and subsurface waters not only during the construction phase but also after construction is complete.



Mr. John Clements September 20, 1999 Page Two

A manual, Best Management Practices for Construction Activities, might be a useful reference in citing state guidelines for protecting surface and subsurface waters in the EIS preparation. This manual, along with the Jefferson County Soil Survey, is available through the Jefferson County Conservation District or this office.

I hope these comments and concerns provided will aid you in preparation of the EIS and if you desire additional information, please contact this office anytime.

Sincerely,

Mark Davis

mark Pavis

Environmental Control Supervisor

Division of Conservation

MD/mg



Jefferson County Public Works

Jefferson County, Kentucky

Rebecca Jackson County Judge/Executive

September 7, 1999

Mark A. Hartung, P.E.
Division Director

Mark W. Adams, P.E.

County Engineer
Mr. John Clements
Community Transportation Solutions, Inc.
10000 Shelbyville Road, Suite 110
Louisville, KY 40223

RE: OHIO RIVER BRIDGES "DRAFT" PURPOSE AND NEED

Dear John:

I have read the draft "Purpose and Need" document, and it is very well written. However, in reviewing this information I would recommend the following items be added:

- Purpose of the Proposed Action The introduction of this document should include a statement, which stresses the "need for the transportation system to support regional economic development objectives".
- <u>The Vehicle Hours Of Travel (VHT)</u> These hours should be measured under the various alternatives to determine the increased efficiency with an Eastern Jefferson County Bridge, a new Downtown Bridge, and a rebuilt Spaghetti Junction.
- Project History The ORMIS Report recommended the extension of the Snyder Freeway from where it stops now at US 42. This alignment should be shown and a brief explanation given of why this route was selected unanimously by the committee.
- Incident Management Traffic accidents occur periodically closing lanes on the Ohio River Bridges, or reducing capacity of Interstates serving the community. An Eastern Jefferson County route would allow for the transport of goods and services in case of an incident.

I appreciate the opportunity to review this draft document. If you have any questions concerning these comments, please call.

Sincerely,

Mark W. Adams, P.E

County Engineer



Jefferson County Public Works

Jefferson County, Kentucky

Rebecca Jackson County Judge/Executive

March 1, 2001

James C. Adkins Director

Mark W. Adams, P.E. County Engineer

> Mr. John Clements Community Transportation Solutions Ten Thousand Building, Suite 110 Shelbyville Road Louisville, KY 40223

> > RE: OHIO RIVER BRIDGES PROJECT

Dear Mr. Clements:

In a recent meeting, we discussed the need for additional truck information on the reference project. I have reviewed my records and it appears that the most recent source for truck data is the 1992 Origin/Destination Survey.

Enclosed is a copy of the ORMIS report which includes excerpts from this Origin/Destination Based on this information, the study shows approximately a 17% volume of trucks/buses from 9:00 AM to 1:00 PM on I-65. There is also a high percentage of truck traffic on I-64 as well and most of the interstates direct the traffic to the downtown corridors.

This community has experienced an above average growth rate for the past 10 years. A significant part of this growth is due to the logistics operations and our central location within the United States. With the UPS Hub 2000 Project, expansion of Riverport, Commerce Crossing, Blankenbaker Crossing, Eastpoint and other commercial centers; it is obvious that truck mobility and product distribution are major factors in this success.

After reviewing the CTS Draft Purpose and Need, I would recommend including additional references to the logistics and truck mobility issue. Overall, this Draft Purpose and Need is very well written and my comments are not meant to be critical, but only to enhance this document.

Sincerely,

Mark W. Adams, P. E.

Mark W. Clams

County Engineer

Enclosure

Rebecca Jackson, County Judge/Executive C: Lorie Beavin, Deputy County Judge/Executive

Jim Adkins, Director



DAVID L. ARMSTRONG MAYOR

WILLIAM E. HERRON DIRECTOR

City of Louisville

DEPARTMENT OF PUBLIC WORKS

Room 216 City Hall • Louisville, Kentucky 40202-2771

(502) 574-3111



November 12, 1999

Mr. John Clements Community Transportation Solutions Inc. Ten Thousand Building, Suite110 Shelbyville Rd. Louisville, Kentucky 40233

Re: Ohio River Bridges

Draft Purpose and Needs Statement

The Purpose and Need Statement (P&N) needs to include broader language about the need for improved access into the downtown area. A contributing factor to the congestion in Spaghetti Junction is the lack of entry and exit points into the densely populated downtown. Additional access could spread traffic out and relieve not only the Interstate and bridge system, but the local street network as well. This issue has been addressed in previous studies, but gets little mention in the draft P&N. The Louisville downtown plan and the Waterfront Plan both provide discussion and suggested locations for new access points. In the second paragraph under Purpose of the Proposed Action, this needs to be added as a major point.

With this issue comes the economic development potential for downtown and it's surroundings. As the P&N indicates, 60% of the employment growth is in the central (downtown) area. Additionally, the major transportation route and development corridor continues to be I-65, and improvements to Spaghetti Junction and reduction of congestion and accidents along that corridor are critical. The draft P&N seems to focus much of its language describing the benefits of completing the I-265 corridor to promote development. It's unfair to add weight to this alternative, when the data shows I-65 to be the economic engine as relates to transportation.

Letter to Clements November 12, 1999 Page 2

As a general comment I feel this draft offers too much language promoting the connection of I-265 as a solution. Terms such as "linkage of the regional transportation system"; historical studies that mention the east end bridge, but don't go into details about the other recommendations; discussion of benefits to very specific and localized movements that constitute small percentages of the overall transportation movements; when added together, paint a picture that the east end bridge connection is a given. This project began as a way to improve cross-river traffic and was not specifically to connect existing transportation systems. I do not want to imply in any fashion that an east end bridge might not be good solution to certain issues, however it needs to stand on it's merit through an objective analysis, and not simply because it completes a prior transportation study objective.

Don't hesitate to call me if there are any questions about these comments.

Sincerely,

Brian J. Bobo, P.E.

Assistant Director of Public Works



November 29, 1999

Mr. John Ballantyne
Project Management Engineer
Kentucky Division Office
Federal Highway Administration
330 West Broadway
Frankfort, Kentucky 40601

Re:

Draft Purpose and Need and Scoping Statements Ohio River Bridge(s) Project, Louisville. KY

Dear Mr. Ballantyne,

Thank you for the opportunity to comment on the Draft Purpose and Need and Scoping Statements for the Ohio River Bridge(s) Project, dated August 1999. We particularly appreciate your willingness to consider our comments a bit belatedly, since we did not receive the draft documents until November 3, 1999. We are pleased to know that you have granted our request to participate as a consulting party for purposes of Section 106, and we look forward to an ongoing constructive role in the review process.

Draft Purpose and Need

In general, the Draft Purpose and Need statement describes a legitimate need for a new downtown bridge between Louisville, Kentucky, and Jeffersonville, Indiana, and for the reconstruction of the interchange known as Spaghetti Junction. The information presented regarding accident rates, poor interchange design and configuration, substandard weaving and merging distances, and congestion levels provides a relevant, objective basis for a statement of purpose and need.

However, the draft document makes no case whatsoever for the construction of a new suburban bridge on the eastern side of the metropolitan area. Yet the statement concludes that an eastern bridge is nonetheless needed, despite the lack of any data substantiating such a need. Not only is the need for a suburban bridge wholly unsubstantiated, it would fuel sprawl type development and have irreparable adverse effects on the historic character and unspoiled rural landscape of eastern Jefferson County.

Protecting the Irreplaceable



Mr. John Ballantyne November 29, 1999 Page 2

The Draft Purpose and Need avoids any real analysis of the need for a new suburban bridge by attempting to blur the distinctions between the need for a downtown bridge and the need for the eastern bridge, when in fact the two "needs" are radically different. Essentially, the proposed eastern bridge appears to be riding on the coat-tails of the need for a new downtown crossing, since the Suburban Bridge likely would not survive an independent analysis of whether or not it is needed. What is completely missing from this document is the obvious approach of building the new downtown bridge and interchange first, and then analyzing the nature and magnitude of the "need," if any, for a suburban bridge.

The documents make a number of general references to a purported "need" for people and goods to travel between eastern Jefferson County, KY, and Clark County, Indiana. Yet this "need" is never quantified, (presumably because it would appear small). Indeed, other information suggests such a need is minimal, at best. For example, the map of 1990-97 population change by census tract (Draft Purpose & Need, p.10) shows virtually no population increase in the portion of Clark County, Indiana that lies along the north side of the Ohio River. The "availability" of the Indiana Army Ammunition Plan for redevelopment (Draft Scoping Document, p.3), and the projected 1,000 new jobs at the Clark Maritime Center in the next five years (Id.), do not demonstrate the "need" for a suburban bridge in the absence of any data about the origins and destinations of vehicle trips generated by those potential future developments. A substantial majority of the new office space developed in the last 20 years (60 percent) was located downtown, rather than in the suburbs. (Draft Purpose & Need, p.11.) In addition, the multi-state manufacturing corridor known as "Auto Alley" is developing along I-65, not in the eastern suburbs. (Draft Purpose & Need, p.18.) The document states that 35 percent of the truck traffic originating in eastern Clark County, IN, and 10 percent of the truck traffic from eastern Jefferson County, KY to eastern Clark County, would realize travel time and distance savings if an eastern suburban bridge were built. (Id.) Without revealing the quantity of the truck traffic, however, (presumably low), or the magnitude of the time and distance savings, those percentages are meaningless (in addition to being very small in the first place). The Draft Purpose and Need and Scoping Statements offer no support for the assumption that there is much traffic at all between eastern Jefferson and eastern Clark counties.

An Origin-Destination Study is a good way to document such a need, and you are fortunate to have relatively current information on travel patterns based on the Origin-Destination Study conducted in 1992 (Draft Purpose & Need, p.7). The failure to cite any results of the 1992 Origin-Destination Study in the Draft Purpose and Need statement certainly implies that those results do not support your case. Indeed, the November 15, 1999 comments from River Fields state that, according to the 1992 study, only 2-5% of all traffic crossing the river is "through" traffic. This certainly contradicts the suggestion in the Draft Purpose and Need statement that there is a substantial unmet need for "residents, business people and material/products of eastern Clark County" to travel to Cincinnati, Lexington, and Nashville.

Mr. John Ballantyne November 29, 1999 Page 3

The low volumes of through traffic also contradict the assertion that "heavy transient traffic" is a problem in downtown Louisville (Draft Purpose & Need, p.18).

Historical Planning Perspective. The section in the Draft Purpose and Need Statement on "Historical Planning Perspective" (pp.6-8) is substantially biased and incomplete. Of all the plans and studies mentioned in this summary, the one that receives the most discussion is the oldest and most out-of-date, namely, a 30-year-old plan from 1969, which characterizes a suburban bridge as "extremely important," "most desirable," and having a benefit-cost ratio exceeding 10:1. (Draft Purpose & Need, p.6.) In our view, the citation of this supposed benefit-cost ratio, calculated during the heyday of the Interstate highway program, as though it has any current relevance or accuracy whatsoever, is irresponsible. Meanwhile, the single most important and relevant study for evaluating the Purpose and Need, namely, the 1992 Origin-Destination Study, receives only a mention in passing, with no description of any data or results. Much more detail needs to be added about the results of this 1992 study.

Transportation System Linkage/Multimodal Access. One of the key rationales offered for the eastern suburban bridge is the term "transportation system linkage," which appears to be little more than a euphemism for connecting the dots on a map. (And even the map is misleading; Figure 1.1 and the map on p.10 both portray Kentucky Route 841, a two-lane road, as though it were a major highway stub leading to nowhere, while omitting US Route 42 and Indiana Route 62, both of which are significant components of the transportation network.) The asserted needs for "linkage" are unsupported by any data, as discussed above.

Nor does the "multimodal" rationale offer any justification for an eastern suburban bridge. There is absolutely no evidence cited for the supposedly "growing suburb-to-suburb travel market." (Draft Purpose & Need, p.10.) Even if such evidence existed, only 465 passengers per day use transit on the downtown bridges during the week (Draft Purpose & Need, p.6), so it is difficult to imagine sufficient demand for suburban transit.

Employment and Population Trends. The map at p.10 showing population change by census tract is fairly useful. It does not show a disproportionate rate of growth on the eastern side of the metropolitan area. We recommend that the revised Purpose and Need statement include similar maps or other geographically specific information about employment locations and trends. The generalized employment data for the metropolitan area as a whole are not useful in ascertaining whether there is a need for an eastern suburban bridge.

Draft Scoping Document

The fundamental flaw in the Draft Scoping Document is the failure to clearly define one or more single-bridge alternatives. Instead, the project is described as a "two bridge highway project" using two out of three potential corridors (Draft Scoping Document, p.5), with nothing

Mr. John Ballantyne November 29, 1999 Page 4

more than a buried reference that "single bridge alternatives will likely be proposed and assessed" (Id., p.7). Instead, the alternative of building a single bridge should be set out as a separate

category under project alternatives (id., p.5), which will be assessed. The transportation benefits of the two bridges need to be evaluated independently.

A second problem with the Draft Scoping Document is that the identified issue of "historical significance" (p. 12) is much too narrowly defined. The emphasis on "architectural investigations" and "archaeological disturbances" suggests that the analysis of historic properties will be limited to direct physical impact. Section 106 of the National Historic Preservation Act, requires much more, including consideration of indirect effect, such as "visual, atmospheric or audible elements," and "reasonably forseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative." 36 C.F.R. § 800.5(a)(1), (2)(v).

Thank you again for taking into account comments of the National Trust on the Draft Purpose and Need and Scoping Statements. We look forward to consulting with you further as the review process goes forward.

Sincerely,

Elizabeth S. Merritt

Associate General Counsel

cc: Don L. Klima, Advisory Council on Historic Preservation
David Morgan, Kentucky SHPO
Larry Heil, Indiana Division, FHWA
Steve Cecil, Indiana DOT
Peter Wolff, Kentucky Transportation Cabinet
John Clements, Community Transportation Solutions



December 3, 1999

Mr. John Clements Community Transportation Solutions 10000 Shelbyville Road, Suite 110 Louisville, Kentucky 40223

> Ohio River Bridge(s) Project Re:

Dear John,

Thank you for traveling to Washington on Wednesday to meet with me concerning the National Trust's views on the proposed Ohio River Bridge(s) Project. I appreciate your willingness to seek our input and listen to our concerns.

As I explained, the National Trust does not oppose the construction of a new bridge in downtown Louisville, or the rebuilding of the major downtown interchange--both of which are supported by specific transportation needs. However, we do strongly oppose the construction of a suburban bridge to the east of downtown Louisville, because it would function as a classic sprawl-magnet, which would fuel uncontrolled development on the outer fringes of the metropolitan area. It is for this reason that the National Trust included the Country Estates of River Road in our 1999 list of America's 11 Most Endangered Places.

The proposed suburban bridge appears to be based on the 30-year-old ideas of enthusiastic highway planners from the 1960s. Since that time, we have all learned a lot about transportation planning and smart growth. As you know, the National Trust has long been an outspoken advocate against sprawl development and against the construction of outmoded highway projects. A new suburban bridge east of Louisville would involve both.

Thank you again for the opportunity to discuss our comments with you personally, and we look forward to an ongoing dialogue during the environmental review process.

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River Fields, Inc., 643 West Main Street, Suite 200, Louisville, Ky. 40202-2921 * (502) 583-3060 * Fax (502) 583-3285 * E-mail: riverIlds@aol.com

NOVEMBER 16, 1999

MR. JOHN BALLANTYNE PROJECT MANAGEMENT ENGINEER Kentucky Division Office Federal Highway Administration 330 West Broadway Frankfort Kentucky 40601

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED

River Fields, Inc.'s Comments to the Preliminary Draft Purpose and Need Statement and RE: Scoping Document for the Ohio River Bridge Crossings at Louisville (Your Item No. 5-118.00)

Dear John:

Thank you for your letter of October 29, 1999, inviting River Fields, Inc. to comment on the Preliminary Draft Purpose and Need Statement and on other documents and processes related to this project. We appreciate very much the suggestion in your letter that our comments may be incorporated into a revised Purpose and Need Statement and look forward to reviewing the revised draft when it is prepared.

Background

River Fields, which is celebrating its 40th anniversary this year, is one of the oldest river conservation organizations in the United States. It is both an advocacy group and a land trust. As this letter will make clear, in its advocacy role River Fields is not opposed to development. Instead, it promotes environmentally sensitive land and water use arrived at by fact-based, reasonable decision-making conducted with appropriate opportunity for public comment and is proud of its reputation as a willing negotiator that works toward creative solutions. As a land trust, River Fields owns over \$2.1 million in key river corridor properties outright and over \$4.7 million in conservation easements.

Although River Fields boasts over 2100 members from 95 zip codes in Kentucky and Indiana, its primary area of activity extends on both sides of the Ohio River Corridor from Westport, Kentucky to West Point, Kentucky. Needless to say, this is the area in which the proposed Ohio River Bridge Crossings are being considered. This project, if undertaken, will have the most serious impact on the river and its corridor that will occur in our lifetimes, and River Fields has treated it with the dignity that magnitude deserves. In doing so River Fields has participated in the 1993 Ohio River Bridge Study Report for the Kentucky Transportation

Cabinet and the Indiana Department of Transportation, the April 1994 Kain/Fauth Analysis of Economic Benefits of Alternative Ohio River Bridge Crossings, the August 1994 Kennedy Interchange Study for the Kentucky Transportation Cabinet, and the February 1996 Ohio River Major Investment Study for KIPDA.

The leaders of this organization care deeply about the future of this region and for that reason wanted to assure themselves that River Fields' position would always be in the best interests of the entire community. For this reason, River Fields has also funded its own research on this issue, hiring professionals who are nationally respected in their fields. It was responsible for an independent analysis of the traffic and economic data by Cambridge Systematics, Inc. of Cambridge, Massachusetts. It also hired Wallace Floyd & Associates to develop a critically important conceptual plan for the redesign of the Kennedy Interchange. This plan, among other things, demonstrated that contrary to previous assumptions, it is possible to rebuild the Kennedy Interchange to relieve congestion on approaches to the Kennedy Bridge. Simply put, no citizens' group has been more actively involved in the project, has been more concerned about the facts which surround it, or has spent more of its own money in participating in the studies concerning it which have taken place to date.

The Bridge Proposal: A Brief History

Beginning in the 1960's, transportation planners have suggested the desirability of a suburban bridge connecting eastern Jefferson County, Kentucky and Clark County, Indiana. Although justification for this expensive project has varied, congestion on the three existing Ohio River bridges and delays in the Kennedy Interchange, one of the few places in the country where three interstate highways intersect at the foot of a bridge, has always been the primary consideration. In addition, the apparent logic of a completed suburban beltway composed of I-265 in Indiana and the Gene Snyder Freeway in Kentucky and supposed economic benefits that would ensue from this linkage have been proposed. As time passed, commercial and industrial real estate development in eastern Clark County built in expectation of a new bridge was seen as additional justification.

Serious technical study of the need for this new Ohio River Bridge began in the early 1990's. To everyone's great surprise, the technical data developed in these studies did not support the project's purported traffic and economic benefits. While economic benefit to Clark County, Indiana could be assumed (it was never demonstrated), it proved impossible to demonstrate any measurable long term economic benefit to the region as a whole. Further, the traffic studies conclusively demonstrated that only a downtown bridge would significantly improve the region's cross-river traffic problems. In addition, the 1994 Kain/Fauth Analysis of Economic Benefits demonstrated the economic necessity for improving traffic flow through the Kennedy Interchange. With the economic interests of downtown Louisville and eastern Clark County in conflict, a stalemate seemed possible.

The ORMIS Study

The Ohio River Major Investment Study was initiated by the Kentucky Indiana Planning and Development Authority in December 1994. At the conclusion of the process, the ORMIS Committee Study recommended that the Kennedy Interchange be fully rebuilt along with the construction of downtown and east end bridges. This compromise was adopted by politicians on both sides of the river with the understanding that the projects would proceed simultaneously after key Louisville business leaders became convinced of the need for a downtown bridge and a rebuild of the Kennedy Interchange. The inclusion of the rebuild of the Kennedy Interchange and the downtown bridge is demonstrative of the irrefutable strength of the traffic, safety, and economic facts evaluated in the ORMIS study. Despite a strong bias against both the downtown bridge and the rebuild of Spaghetti Junction, the ORMIS committee could not, in the end, deny that those projects were needed.

River Fields' Position

River Fields supports the construction of a bridge parallel to the Kennedy Bridge in downtown Louisville as a solution to our community's traffic problems. While changes in the coming decades may justify the building of a suburban bridge however, no compelling need yet outweighs the environmental shock the east end bridge would inflict on our region. This environmental shock includes significant urban sprawl on both sides of the river—a land use impact that also exacerbates urban disinvestment.

River Fields believes that regardless of the fate of the suburban bridge, the downtown bridge and an accompanying rebuilding of the Kennedy Interchange must be constructed first. The reason for this is well-summarized by JHK & Associates, the consultant hired to conduct the ORMIS Study. In a letter to the ORMIS Committee dated November 18, 1996, the consultant observed:

"[W]e must be very clear that an east end bridge alone will not solve the problems within Spaghetti Junction. It would be very short sighted for the region to think that the east end bridge could be built and thereby make the downtown bridge and improvement to Spaghetti Junction unnecessary. Our analysis and experience tells us that the citizens of both Kentucky and Indiana would come to regret such a choice."

The problems to which the consultant refers are safety and traffic congestion, the two primary issues mandated for FHWA consideration of new construction.

The Standards for of the Current Study

River Fields' involvement with the current study began in January 1998 when it was invited to a meeting in Indianapolis, Indiana where would-be consultants for the EIS project made their presentations. Representatives of River Fields have met with the consultant selected after that meeting repeatedly since that time and have attended the Agency Scoping meetings held on October 6, 1998 and September 8, 1999. During these meetings, River Fields learned the standards state and federal agencies have placed on the consultant and against which its performance of this project must be measured. Those standards are more stringent than the standards faced in a normal project or those required formally in the legislation which set this study in motion.

First, both the Indiana Department of Transportation and the Kentucky Transportation Cabinet expect this project—which is the largest in the history of either state—to be conducted according to the highest possible professional standards. This meant to then-Commissioner Curt Wiley of Indiana when he spoke at the October 6, 1998 scoping meeting that the project should be "done right from the start." Commissioner James C. Codell, III of Kentucky was equally explicit. At the same meeting he stated that he wanted this to be "a model project" which will "set new standards for other projects" and "pave the way for projects to come."

Second, this is to be a project in which the public participates. Eugene W. Cleckley, Chief of the Environmental Operations Division of the FHWA, stated at the October 6, 1998 conference that "the public has an equal stake in this process." Kentucky Division Administrator of the FHWA, Jesse Story, echoed this thought when he stated as his goal "an open and collaborative process." This is important because, as Commissioner Wiley acknowledged, the ORMIS process created frustration, a frustration that River Fields shared because of the bias shown by many of the decisions of the Committee resulting from disproportionate representation of suburban interests on the Committee. Responding to these imperatives, Project Manager John Clements promised a project in which there would be "proactive public involvement."

Third, this project is to include a good decision-making process as a goal. To Mr. Cleckley this meant that this project would not be a "DAD" project in which the agency <u>Decides</u>, <u>Announces</u>, and <u>Defends</u> a predetermined result. Instead, he directed his agency to cooperate with other agencies to arrive at fact-based decisions, recognizing that in addition to its customary concerns "other social and economic facts" must be considered, and that the views of all agencies must be taken into account before documents are drafted. "Collaborate, then write documents," he stated. "Integrated decision-making documents are easier to review."

An integrated decision-making process is especially important to this project because of the different purposes of the Environmental Impact Statement and the ORMIS study. As Jesse Storey pointed out at the October 1998 meeting, the ORMIS study was undertaken to evaluate whether the project was "buildable and fundable." Its "preferred alternatives are starting points" only. This necessarily means that "they are not the only alternatives" because a Major

Investment Study such as ORMIS "uses one set of criteria to determine preferred alternatives which does not include the NEPA criteria." An EIS which used only the ORMIS recommendations and provided no other alternatives would be fatally flawed and would represent the kind of process explicitly rejected by Mr. Cleckley.

Finally, it is clear that the Purpose and Need Statement is a crucial document in the project and constitutes the yardstick against which the rest of the Environmental Impact Statement is measured. This yardstick, properly applied, should literally control decisions on central issues such as the alternative routes to be studied in depth, the importance of the no-action alternatives and whether two bridges or one are required. This importance is reflected in the fact that the statement is now the project's first consensus point. It is no surprise that one of the Consultant's first schedules promised that the Purpose and Need Statement would be completed before the Consultant began to "gather and assemble preliminary engineering and environmental data to identify issues and constraints" and before it began "to determine a broad range of possible alternatives with input from government agencies and the public."

The EIS Process Date: A Brief Evaluation

The directions given by Mr. Cleckley and the federal agencies to the consultant are consistent with and embody the underlying rationale of NEPA, i.e. that decisions by federal agencies which may have a significant impact on the environment must be made in a reasoned and deliberate manner that gives full consideration to the impact of reasonable alternatives. Of course a necessary prerequisite for reasoned decision making is a clear understanding of the issues being considered. It is for this reason that the Council on Environmental Quality's NEPA regulations require an "early and open process" to determine "the scope of issues to be addressed and for identifying the significant issues related to a proposed action." 40 CFR §1501.7.

There have been numerous meetings with the public which reflect these instructions, and the consultant has been unusually generous in making itself available for private meetings with individuals and groups such as River Fields. Although the project has an impressively active public relations program, there have been few meetings in which project leaders have spoken on the record to the public about their plans. River Fields is concerned, therefore, that despite good intentions, the process to date has not been as open as promised and that, as a consequence, the scope of issues to be addressed has not been adequately defined before work has proceeded.

According to the original project schedule, (attached as enclosure 1) the Purpose and Need Statement was to be circulated at the conclusion of the first five months of the project. Obviously that did not occur. Instead, the draft was first published at the end of the project's eleventh month. Since the ORMIS Study had already developed a Purpose and Need Statement, this delay reflects a serious problem at the heart of this proposal. While some delay may have been caused by a change in requirements contained in the new section 106 consultation process, the new requirements only formalize the kind of integrated decision-making directed by Mr. Cleckley when the project was only a few weeks old. As will be discussed more fully below, River Fields believes that the real problem is the virtual impossibility of justifying any legally

acceptable purpose or need for the suburban bridge, especially if it is to be built before the downtown bridge and the rebuild of Spaghetti Junction.

Sadly, this difficulty has now bred other even more serious problems. In particular, the identification and selection of alternatives has proceeded along a parallel path with the drafting of the Purpose and Need and the Scoping Documents. While the draft Purpose and Need Statement was being crafted, the consultant has been busy doing detailed engineering work on alignments and gathering environmental information based on the preferred ORMIS alternatives. In fact the Purpose and Need Statement was first made generally available at public meetings devoted to detailed engineering schematics of proposed routes for the two bridges. Skeptical observers might easily conclude that the DAD decision-making Mr. Cleckley prohibited was at work, with a decision to build two bridges come what may at the heart of the drafting of the Purpose and Need Statement. A less skeptical observer also has cause for concern, however, because work on selection of the alternatives prior to a clear enunciation of the purpose and need for the proposal can lead to erroneous conclusions. Simply put, the foundation of the EIS process is the identification of the need for and purpose of the proposal, and decisions made without this necessary foundation cannot stand from a logical or legal point of view.

Even more troubling, to date the public has had no meaningful role in the draft. Although the draft has generously appeared on the project web site, the meeting at which the draft was first made available was about another subject and no public comment was solicited or taken. Nor has the document ever been explained by the consultant in a formal setting. While River Fields appreciates the chance to comment on the draft, there is still no plan for a public meeting on this important document. If, as Mr. Cleckley said, "the public has an equal stake" in this project, it is not being treated with the deference given the governmental stakeholders. Most troubling of all, failure to follow the prescribed path by undertaking so much work before the Purpose and Need Statement is completed has already created delay and may put the whole project at risk including the downtown bridge and the rebuild of the Kennedy Interchange.

The Scoping Document

On the same day the draft Purpose and Need Statement was published, the consultant published a Scoping Document. The stated purpose of this document is "to achieve consensus among agencies as to those issues that should be emphasized in the EIS." We have been advised informally that the document was also intended to provide background information especially for those unfamiliar with the Louisville area so that the draft Purpose and Need Statement might be better understood. We believe that the document fails both of these purposes and needs to be republished or formally withdrawn.

River Fields has serious concerns about the process leading to the Scoping Document as well as its substantive content. First, in regard to the process, the Scoping Document was never circulated in draft for comment. Nor is there any plan to revise it or correct the serious errors it contains if comment is received. In fact, as far as we have been able to determine, there have been no "initial comments received by representatives of state and federal agencies and local

jurisdictions, as well as the public...." as is stated on page 1 of the document. Nor were there any scoping meetings scheduled or held in September 1999 in which the document was discussed, a second misstatement occurring on page 1. The only public meetings held in that month concerned proposed alignments for the bridges at which there was no presentation made and no comments taken on the scoping document. If the purpose of the document is to achieve consensus, therefore, it will fail because it was in its final form before it was distributed.

If the purpose of the Scoping Document is to serve as a factual background for understanding the Purpose and Need Statement, it fails as well because it contains numerous inaccuracies. Some, such as the statement that the Kentucky side of the EIS project area—which extends from the Falls of the Ohio to the Jefferson County/Oldham County Line—is "heavily developed" would be humorous if the consequences of this project were not so serious. In point of fact, the project area for the suburban bridge includes the Country Estates of River Road Historic District, a district listed on the National Register of Historic Places, whose most important feature is its lightly developed, nationally important historic landscape. In fact, the district averages less than 3 houses per acre in its approximate 700 acres.

Other inaccuracies are far more serious. In the first full paragraph of page 4, for example, the conclusions of the ORMIS study are totally misdescribed as a three step process: "The first step would be to construct a new bridge crossing on the east side of Louisville.... The second step would be the construction of a new downtown bridge.... The third step would be the reconstruction of the Kennedy Interchange...." As John Carr, Deputy State Highway Engineer of the Kentucky Transportation Cabinet, pointed out at the meeting on September 8, 1999, the ORMIS conclusions did not indicate any particular sequential order for construction purposes. Although corrective minutes of the meeting have now been published, failure to correct the document itself leaves a very misleading document in circulation to all federal agencies and makes it appear that decisions to build the suburban bridge first, and rebuild Spaghetti Junction last had been reached by the ORMIS Committee.

A second serious inaccuracy that recurs throughout the Scoping Document is its tacit assumption that the only Ohio River crossing solution being considered in this project is the erection of two bridges. The document's first paragraph, for example, contrasts "maintaining existing facilities only" with "upgrading the highway network including construction of additional bridges across the Ohio River." Similarly, the No Action alternative presented on page 5 of the document states: "This alternative would maintain the existing transportation plan improvements in the project area." "This assumption is contrary to representations repeatedly made to River Fields by the consultant that the No Action alternative will include a downtown bridge only (no action in the suburbs) and a suburban bridge only (no action downtown and in the Kennedy Interchange). It is also contrary to the minutes of the September 8, 1999 Agency Scoping Meeting prepared by the consultant which state at page 3: "cross-river bridge alternates will be developed assuming four (4) land use scenarios: 1. No construction 2. Construction of a new bridge in the far east only 3. Construction of a new bridge in the downtown only 4. Construction of two (2) new bridges: one in the far east and one in the downtown." The Scoping Document does not contain this important information.

A third serious inaccuracy in the Scoping Document is its misstatement of the project schedule. According to the schedule prepared by the consultant and distributed at the first Agency Scoping Meeting, there is a 23 month period between the development of the Purpose and Need Statement and the completion of the DEIS. Even if consensus had already been reached on the Purpose and Need Statement—which of course it has not—the DEIS could not be completed until September 2001. The Scoping Document states that the DEIS is scheduled to be completed by the summer of 2000, a date no longer attainable. Stakeholders, including the agencies commenting on the Purpose and Need Statement, need and deserve a Scoping Document that contains an accurate schedule.

River Fields believes that if the Scoping Document is important enough to be considered part of this process, it should be accurate. Although the consultant has acknowledged publicly that its statement of the ORMIS recommendation was wrong, it has not retracted the document or sent an errata sheet to those to whom the document was circulated. The other inaccuracies in the document discussed above remain completely uncorrected. If the Scoping Document is to serve a truly useful purpose, it should be revised and circulated for comment and for agency consensus. Alternatively, it should simply be withdrawn with the understanding that it is not to be considered as part of the process.

General Reactions to the Preliminary Draft of the Purpose and Need Statement

A. The Statement Should be Based on Facts

As the attached Purpose and Need Statement for the Ohio River Major Investment Study demonstrates, the Preliminary Draft of the Purpose and Need Statement is not the first purpose and need statement drafted for a study of the Ohio River Crossings. A comparison of these two statements is revealing. The ORMIS study is thick with the kind of well-documented technical facts professionals use to base their decisions. Indeed, one of its stated objectives "is to provide a factual, fair, and complete identification of the problems as they currently exist and are expected to exist in the future." In contrast, the Preliminary Draft Purpose and Need Statement is largely a rhetorical document characterized by broad statements without citations to supporting facts. At page 11, for example, we find the statement that "[t]he Ohio River and the lack of adequate access across it will likely become a major impediment to the free flow of workers to jobs and materials to markets." (Emphasis supplied). There is no data, current or projected, given to support this speculation and indeed it is difficult to see how it could ever be supported. If the Purpose and Need Statement is to serve as a yardstick for the project, it should be based on facts which provide a way to measure the solutions it proposes and the needs it identifies.

While River Fields is mindful that NEPA now contemplates shorter and more concise decision documents than was once the case so that the documents are more usuable and less formidable to the public and the agencies, River Fields believes the Purpose and Need Statement should refer to the supporting data and documents to the extent possible. This would ensure an understanding of the basis for the conclusions in the Statement and would make the Statement a more credible document.

B. Needs Addressed by the Project Should be Based on Facts and Logically Ranked

The Draft Purpose and Need Statement offers no ranking of the asserted needs the project is intended to address. Thus, the lack of bicycle and footpaths across the Ohio in eastern Jefferson and Clark counties (so-called multimodal access) is given equal dignity with accidents and travel delays in the Kennedy Interchange. While bicycle access is an important feature to be considered in the construction of any bridge, no bridge crossing could be justified solely on that basis. Safety, on the other hand, is a sound basis for decision-making. River Fields supports bicycling and has spent thousands of dollars on bike and jogging trails. It believes, however, that it would be tragic if confusion about the priority of safety and secondary issues such multimodal access led to the loss of human life. The needs for the project should be demonstrated by data and ranked so that they can be properly evaluated and measured against their monetary and environmental costs.

C. The Primary Needs of This Community Relate to Safety and Congestion

The primary purpose for this project has always been recognized as improving cross-river transportation by relieving safety problems and current and future congestion--not improving the regional transportation network generally. The purpose of the project should not be defined in an overly-broad manner that will encourage selection of a correspondingly overly-broad solution. Rather, the Purpose and Need Statement should focus on the most critical problems and needs that have been identified and supported by valid traffic studies. Prior studies have identified the primary problem to be the safety and congestion problems associated with Spaghetti Junction and the downtown bridges. For example, the 1993 Ohio River Bridge and Kennedy Interchange studies which were conducted by the States of Indiana and Kentucky found severe safety and operational deficiencies associated with the Kennedy Bridge complex (I-65, I-64, I-71) which could not be meaningfully relieved by construction of a new bridge outside the immediate I-65. corridor. Upon review of these findings, River Fields' consultant, Cambridge Systematics, Inc., concluded that "fixing the problems of the Kennedy Bridge and interchange, in conjunction with the construction of a new and parallel bridge facility, is the only viable long-term solution to this serious transportation problem." Likewise, JHK & Associates, which served as consultant to the ORMIS committee, emphasized the severe problems associated with Spaghetti Junction in its recommendations: "[W]e must be very clear that an east end bridge alone will not solve the problems within Spaghetti Junction. It would be very short sighted for the region to think that the east end bridge could be built and thereby make the downtown bridge and improvement to Spaghetti Junction unnecessary. Our analysis and experience tells us that the citizens of both Kentucky and Indiana would come to regret such a choice."

Moreover, the traffic studies have demonstrated that the congestion at Spaghetti Junction is as big a problem as the congestion on the bridges. This point should also be clearly made in the Purpose and Need Statement to ensure that a rebuild of the Spaghetti Junction is fully considered and properly weighed in the alternatives analysis of the EIS for which this Purpose and Need Statement serves as a guiding document. Accordingly, River Fields suggests that the reference to increased demands on the existing traffic "network" be eliminated and that the

general purpose statement refer to the specific need to relieve the congestion that occurs at the Kennedy Interchange ("Spaghetti Junction") and on the three existing Ohio River Bridges.

D. The Project Should have a Realistic Perspective on Construction of the Alternatives

If both projects were to proceed, fiscal and construction realities indicate that the projects would be built consecutively, not simultaneously. Indeed, elected officials and technical professionals familiar with the project now privately concede that the simultaneous construction scenario is virtually impossible. River Fields' comments are written from this realistic perspective—that, for reasons of cost or construction difficulties, the region will likely be forced to choose an order for construction of these two projects. For this reason, the order of construction must be ranked, with the project satisfying the most important needs proceeding first

E. The Needs of the Entire Community Should be Considered

The TARC "T-2" study found that over 41% of the area's corporations are located on the I-65 corridor. As currently drafted, however, the Purpose and Need Statement contain no mention of the negative economic impact that traffic slowdowns have to the I-65 corridor and the Central Business District of Louisville. Rather, the emphasis is on the perceived inconvenience to an unquantified number of travelers in the eastern part of the metropolitan area. Without underlying factual support, which has not been presented to date, that there is in fact a predominant group of travelers who would actually need and use a bridge in the eastern metropolitan area, there is no basis for giving such an option preeminent consideration and discussion in the Purpose and Need Statement.

More importantly, the critical problem to be addressed is the congestion in the interchange and the bridges—not lack of an alternate route in one particular area, an issue which is secondary at best. The same sentence in the "Travel Delays" paragraph in Section 1.1 serves only to skew any subsequent analysis toward the building of an east-end bridge. Again, the focus should be on the travel delays and safety hazards caused by the congestion in Spaghetti Junction and on the current bridges. A downtown bridge and a rebuild of the interchange will alleviate those delays and could well obviate the need for a second bridge in any other area. Thus the inclusion in the Statement of a reference to alternate routes to the eastern metropolitan area biases the analysis and should be removed.

F. The Study Needs to Address Infrastructure Reconstruction and Rehabilitation

According to FHWA's web site "[d]eteriorating highway conditions and the lack of sufficient resources to fully correct these conditions have taken an ever increasing toll on the Nation's mobility, productivity and quality of life." It is for this reason that the FHWA's performance plan for the President's Fiscal Year 2000 budget states, as one of its primary strategies that "Federal investment focuses on road reconstruction and rehabilitation"

This community faces the same deteriorating highway conditions as the rest of the nation. In its ORMIS recommendations, for example, JHK emphasized the "need to replace Spaghetti Junction roadways and structure, which will have long outlived their design life by the time they are replaced." "If the region does not start now it may never happen." See Attachment C. to the ORMIS Statement at p. 6. Unfortunately, the draft Purpose and Need Statement does not address this important issue.

G. The Study Needs to Examine and Balance Options to Highway Expansion

The draft Purpose and Need Statement is solely focused on highway expansion, particularly expansion of the transportation systems network. The reader finds little or no attention given to transit options and the impact of the future non-highway improvements. For almost a decade the FHWA has been encouraged to plan for moving bodies, not vehicles. River Fields encourages the addition of this perspective to the draft. Certainly transit options should be evaluated in the community's choices and no build alternatives.

H. Political Compromise Should Not Compromise Quality

Pages 4 and 5 of the ORMIS Purpose and Need Statement contain a Summary of the problems and needs which form the basis for the recommended solutions to what was called "the river crossing problem." Nine of these problems relate to traffic. The obvious (and unexpected) solution to these problems caused the consultant to warn that "[i]t would be very short sighted for the region to think that the east end bridge could be built and thereby make the downtown bridge and improvement to Spaghetti Junction unnecessary." This warning is not reflected in the preliminary Draft Purpose and Need Statement, which rarely cites the data supporting the reconstruction of the Kennedy Interchange and the construction of the downtown bridge while emphasizing data and subjective arguments supporting the east end bridge. Examples are numerous and discussed later in this letter. Some of them include:

- A low priority of safety as a need. Safety for example is listed after Population.
- A focus on the transportation network as opposed to problem—peak hour cross river traffic.
- An emphasis on subjective information.

In fact, the difficulty of finding a legally sufficient purpose for the east end bridge seriously compromises the quality of the entire document. Figure 1.1, for example, cited as proof that the lack of a river crossing limits the effectiveness of I-265 as a beltway, portrays the connection between the Gene Snyder Freeway and US Route 42 as a freeway, even though the text of the document acknowledges that it is an undivided two lane road. The same figure ignores the four lane connection between the western end of the Gene Snyder and I-264 now under construction as shown on the corrected figure 1.1 attached as enclosure 3. Similarly, the draft (at page 6) gives an extensive quotation from a 1969 report which erroneously claimed the

cost-benefit ratio of an east end bridge exceeded 10:1, a ratio unsubstantiated by any subsequent study. The two bridge solution was actually a political compromise. By straining to justify this compromise without supporting data, the Purpose and Need Statement and the Environmental Impact Statement to come will put the whole project at risk.

Specific Comments on Draft Purpose and Need Statement

Purpose of the Proposed Action (Section 1.1)

A. Comments on the first and second paragraphs of page 1:

The first sentence in the first paragraph (page 1) of the Purpose and Need Statement refers to increased demands on the existing "transportation network" as evidenced by growing traffic volumes and by congestion on the three existing bridges across the Ohio River and by congestion during peak period traffic at the Kennedy Interchange. The second paragraph (page 1) of the Statement then sets out a two-fold purpose of the Ohio River Bridges Project: 1) to address transportation across the Ohio River; and 2) to address "transportation deficiencies in the Louisville-Southern Indiana Metropolitan Area." By focussing on the "network" and undefined "deficiencies" in the metropolitan area, the purpose and need for the Project has been expanded far beyond the primary purpose that has been recognized throughout the history of the studies leading to the current proposal.

B. Comments on third paragraph of page 1 (entitled "Travel Delays"):

The statement in the second sentence of the "Travel Delays" paragraph of Section 1.1 about high truck volumes contributing to traffic congestion problems may be factually inaccurate and is certainly anecdotal. In at least one prior study, the Bi-State Bridge Feasibility Study, the technical data surprised both the professionals and the public because it demonstrated that the volume of truck traffic in the congested areas under consideration was lower than expected. Similarly, the ORMIS study's Purpose and Need Statement carefully analyzed these truck trips and revealed that most were primarily local. Without further definition or explanation as to precisely how "high truck volume" is defined, this statement should also be eliminated.

The last sentence in the paragraph entitled "Travel Delays," which states that "there is no alternate route for cross-river travelers with origins and/or destinations in the eastern half of the metro area to avoid traffic congestion and accidents in Spaghetti Junction or on the Kennedy Bridge" should be deleted. This sentence, which discusses a speculative need for alternate routes to the eastern half of the metropolitan area, places an unnecessary emphasis on the eastern half of the metropolitan area; if the issue is included, the same speculation could apply to its middle and western sections. The sentence should be replaced with one that focuses on the needs of the downtown Louisville area and the I-65 corridor that contains the airport, the Ford plant, the GE plant, and the University of Louisville among other significant community entities.

C. Comments on fourth paragraph of page 1 and first paragraph of page 3 (entitled "Accidents and Other Incidents"):

The statement that the Ohio River is "a barrier to travel between Indiana and Kentucky, especially in the eastern portion of the metropolitan area," should be eliminated. It goes without saying that the river is a barrier to travel between Indiana and Kentucky along the entire boundary of the two states, but that fact alone does not serve as a basis for building any bridge. If it did, Kentucky and Indiana should be considering bridges all along the river.

Moreover, the discussion in the first paragraph on page 3 concerning perceived problems of businesses in the east end of the area in transporting materials to northern markets is less meaningful because of the lack of information or references in the Statement to quantify the magnitude of the problem. Once again, the problems of these businesses are no more important than the problems of those more numerous businesses in the downtown area and the I-65 corridor, yet those problems are not discussed at all in this section. This failure to analyze the needs of the entire community for a new bridge or bridges or a rebuild of Spaghetti Junction focuses on the justification for an east end bridge. NEPA requires greater objectivity and balance.

Similarly, the last sentence of the first paragraph on page 3 regarding multimodal access as it relates to the east end alone suggests a preconceived determination for the need for a bridge in the east end. While River Fields strongly supports pedestrian and bike paths, they are at best adjuncts to a bridge and not a justification for a project which could cost \$250 million or more.

Finally, and most significantly, the entire discussion of the "Transportation System Linkage/Multimodal Access," unless modified, could be interpreted as an endorsement of the facilitation of urban sprawl. The underlying rationale is not based on demonstrated need, but on the theory that if you build a bridge, people will come to it. Unfortunately, experience demonstrates that in coming to it, they often create more traffic problems and congestion (a la Hurstbourne Parkway). The answer is not to build and hope for the best. The answer is to identify a significant problem, propose alternative solutions, and select the solution that provides the most good with the least relative harm. This is the overarching mandate for the EIS process. To achieve that end, the Purpose and Need Statement must accurately identify critical problems so as to avoid detours that are designed to solve problems that do not exist or that are minor in comparison to others.

D. Subsection entitled "Existing Transportation System": Comments on fifth paragraph of page 5:

The fifth paragraph of page 5 states that the Ohio River "separates" the Indiana and Kentucky portions of the project area. Use of the term "separates" has unnecessary negative connotations. As pointed out above in comments to the fourth paragraph of page 1 and the first

paragraph of page 3, a more accurate description of the relationship of the river to the states is that "the Ohio River is the boundary for the Indiana and Kentucky portions of the project area."

E. Subsection entitled "Non-Motorized System": Comments on third paragraph of page 6:

This discussion should also clarify that there is currently no project or plan for a "non-motorized system" in Eastern Clark County extending to the suburban bridge corridor. Without such a plan, non-motorized system linkage is impossible.

Historical Planning Perspective (Section 1.3)

A. Comments on fourth paragraph on page 6:

The discussion of the historical planning process begins with the statement that "[d]evelopment of the project has been an element of the transportation planning process since 1969." This statement is factually incorrect and misleading. The current project has three elements under consideration: the Spaghetti Junction rebuild, a downtown bridge, and an east end bridge. The 1969 planning process addressed only one of these elements—the east end bridge. Because the problems associated with 1999 levels of traffic and congestion in Spaghetti Junction and the downtown bridges were not known in 1969, those problems and solutions were not considered in the 1969 plan. Thus, while the 1969 plan is of interest as a matter of history, it should not be given undue emphasis because it was a plan, not a study, and as such did not analyze or consider the current problems which must be framed by this purpose and need statement.

B. Comments on sixth paragraph of page 6:

The only plan or study that is extensively quoted in the Statement is the plan with the least relevance to the current project, the 1969 Transportation Plan. The quotation at the bottom of page 6 which presents a 1969 cost-benefit analysis for the east end bridge should be deleted from this document. Indeed, the basic premise of the quoted statement, that a bridge crossing the Ohio River at Utica is an important addition to the freeway system, is not supported by any citation of facts because this plan was not based on a thorough factual study. Significantly, the assumption set forth in this quote has been proven to be factually incorrect by both the Bi-State Bridge Study in 1993 and the ORMIS Study in 1996.

C. Comments on Significant Omissions from Section 1.3 (Historical Planning Perspective):

Any discussion of the historical planning perspective must include two major studies conducted in the early 1990's that are not mentioned in the draft Statement the Kentucky-Indiana

Joint Bi-State Bridge Feasibility Study by American Engineering and the HNTB Kennedy Interchange Study.

The Origin and Destination Study which was conducted by American Engineering as a part of the Bi-State Study is of utmost importance. It was the Origin and Destination Study that first gave the public and professionals enough information to understand that a suburban bridge would not solve the traffic problems of the downtown cross-river traffic. Particularly telling is the following factual finding of the report which should be included in any recitation of the significant historical planning efforts:

A new bridge parallel to the Kennedy Bridge would reduce the number of cars crossing the Kennedy daily to 66,000 by the year 2010; a new suburban bridge only at I-265 would result in 115,000 cars daily on the Kennedy Bridge—an increase of 15% over the current levels.

(Ohio River Bridge Report for the KTC and IDOT, November 1993)

Of equal importance is the HNTB Kennedy Interchange Study, a second study which is not cited in the Draft Purpose and Need Statement. It is this study that first established the magnitude of the problems associated with the interchange and concluded that they could be ameliorated through a reconstruction of the interchange and construction of a new bridge parallel to the Kennedy Bridge. Since this Study is not mentioned in the Statement it is apparently being given little consideration in the EIS process. Failure to use the information it contains creates an appearance of bias for the suburban bridge as the primary focus and construction priority of the current study. The problems associated with the interchange are of such significance that they must be clearly enunciated in the Purpose and Need Statement. Accordingly, the Statement should be revised to refer to the omitted studies and their significant findings.

D. Comments on sixth paragraph on page 8 (entitled "ORMIS"):

Although this paragraph notes that the Ohio River Major Investment Study ("ORMIS") is discussed in more detail in Section 1.4, neither this paragraph nor Section 1.4 recites the important findings of the study that should be considered in determining the purpose and need of the proposed project. Those facts include the following:

- The accident rates at Spaghetti Junction (nearly one per day) are more than double the rates for comparable sections of interstates in the United States.
- Spaghetti Junction is the busiest interchange in the state.
- 2.5 million to 3.5 million dollars a year is the direct economic cost of delay on the interstates that converge at the Kennedy Bridge.

• Each alternative alignment, both the downtown bridge and the suburban bridge, would provide the same level of improvement in handling hazardous materials.

(ORMIS Purpose and Need Statement and Level I Analysis)

Project History (Section 1.4)

A. Comments on last paragraph on page 8 and first paragraph on page 9:

It is inaccurate to state that the ORMIS committee was "broad-based" without further explanation. In fact, the Committee was structured so that the City of Louisville had only one vote even though it had by far the largest population base. Thus, the Committee was far more representative of numerous suburban areas and small cities, each of which had one vote, even though their total populations were a percentage of the population of Louisville.

Furthermore, while the fourth sentence of this paragraph recognizes that the "downtown bridge would be necessary to reconstruct Spaghetti Junction to accommodate increased traffic levels," this section of the Statement does not appropriately recognize the importance of the rebuild of Spaghetti Junction. Rather, the rebuild is listed as the third recommendation of ORMIS and makes it appear almost as an afterthought. In fact, though, the rebuild of the Kennedy Interchange is the single most critical resolution to the congestion and safety problems caused by the convergence of three major interstates in the downtown area. No other conclusion can be rationally reached based on the data collected in support of the ORMIS and HNTB studies. The engineering studies underlying the ORMIS study and the HNTB study allow for only one conclusion. According to JHK's "Reasons for the JHK Recommendation" (attached), a "full rebuild of Spaghetti Junction to modern engineering standard" is the only solution to the issue of "traffic congestion and delays in Spaghetti Junction."

Additionally, the final three sentences of this paragraph, taken as a whole, are incomplete and misleading. The first statement, i.e. that the "downtown bridge would be necessary to reconstruct Spaghetti Junction to accommodate increased traffic levels," is a factually correct statement that is fully supported by the most reliable recent studies. However, the next two sentences ascribe a role to the east end bridge in the correction of the Spaghetti Junction problems that has not been proven and is, at best, wholly speculative. Those sentences state: "The east end bridge would allow for the diversion of trans-Ohio River traffic from the congested Spaghetti Junction interchange. The combination of enhanced traffic capacity provided by a rebuilt Spaghetti Junction and diverted traffic afforded by the east end bridge would result in acceptable traffic service levels in the Spaghetti Junction interchange." Those sentences imply that the east end bridge will play a necessary and significant role in the correction of the Spaghetti Junction problems. There is no data to support such a decision. As the HNTB Study explained, the only necessary bridge for resolution of the problems of the interchange is a new downtown bridge near, and parallel to, the Kennedy bridge.

Similarly, while an east end bridge would theoretically "allow" diversion of traffic from the interchange, to date no traffic study has demonstrated that the number of vehicles that can actually be expected to use the east end bridge is significant. To the contrary, our knowledge of these studies indicate that the number is insignificant. Indeed, the 1992 Origin and Destination Study that was conducted as a part of the Joint Bi-State Feasibility Study, clearly showed that the great majority of the trips in the area occur close to the metropolitan Louisville area (inside the Watterson beltway). This is not at all surprising given the vitality of the metropolitan area—a vitality that would only be enhanced by a rebuild of the Kennedy Interchange.

Perhaps most surprising of all, the traffic studies have found that the percentage of "through" traffic, i.e. traffic not originating in or destined for the area, is only 2 to 5% of all traffic crossing the river. Prior to the Origin and Destination study it was widely assumed by both the public and the professionals that the volume of through traffic was the major cause of the problems at the Kennedy Interchange. Accordingly, it was also widely assumed that construction of an alternative suburban route for crossing the river would substantially alleviate, if not totally solve, the congestion and safety problems associated with the Kennedy Interchange. The Origin and Destination Study proved these assumptions to be wrong. It would be a serious mistake to ignore this most significant finding as the current proposal is evaluated.

Accordingly, this paragraph should be revised so that it cannot be read to imply that the <u>only</u> way to create "acceptable traffic service levels in the Spaghetti Junction interchange" is through a combination of project components (interchange rebuild, new downtown bridge, or new east end bridge) that must include an east end bridge. We find no available data to support such a conclusion.

B. Comments on sequencing of Sections 1.5, 1.6, and 1.7:

If Section 1.4 were to be revised as suggested by River Fields to reflect the congestion and safety problems associated with the Kennedy Interchange that have been recognized by the historical studies, it would also be appropriate to revise the order of current Sections 1.5, 1.6, and 1.7. In the Draft Statement the section on "Accidents and Other Incidents" (Section 1.4) follows the sections on "Population and Employment Trends and Forecasts" (Section 1.5) and "Socioeconomic Forecast Comparisons" (Section 1.6). This sequencing is indicative of what appears to be a theme developed in the Draft Statement, i.e. that the primary focus of the proposed project is the completion of the envisioned transportation network for the area. River Fields strongly believes that this "connect the dots" rationale is not in the best interest of the community when there are serious transportation safety issues that have been clearly identified by the previous studies. Public safety should always take precedence over linking transportation systems or fixing maps. Once more it must be emphasized that the rebuild of Spaghetti Junction (and the accompanying necessary building of a downtown bridge) is the most important safety solution of this project. Accordingly, the section best explaining the need for safety should precede any sections focusing on demographics.

Because Section 1.7 ("Accidents and Other Incidents") demonstrates the serious safety issues that must be addressed by the project, and especially by the interchange rebuild and the downtown bridge, that section should be next in the report followed by the demographic sections.

Population and Employment Trends and Forecasts (Section 1.5)

Comments on pages 9-11:

River Fields is troubled by the fact that far more tables and data are presented in this section than in the section involving safety issues. Also troubling is the use of highly subjective language throughout this section suggesting a preconceived view as to what the data demonstrates, e.g. "robust" (page 9, paragraph 3), "reversed the trend of industrial decay" (page 9, paragraph 3), "earned this region in the nation the designation as the rustbelt" (page 9, paragraph 3), and "global industrial powerhouse" (page 9, paragraph 4).

This section attempts to demonstrate that there will be such an increase in the labor market in the area that in order "[t]o provide adequate access for this increased labor market to jobs, improved transportation links connecting the entire region may be required." See second sentence in last paragraph of page 11. In other words, the suburban bridge may be needed to accommodate the increased traffic for the rising job market expected to occur during the planning timeframe. The data in this section give no support, however, for a conclusion that there is likely to be such a vigorous job market during the relevant timeframe. Instead, this section takes a few recent statistics as to office space, shopping malls, and the like and hypothesizes that these facts are indicative of a significantly growing labor market in the area that will necessitate more means of suburban access across the Ohio River.

Nor is there any evidence in this section of a cause and effect relationship between the data cited and the conclusions drawn. For example, the cited 30% increase over 18 years in office space, 60% of which occurred in the central downtown area, does not prove that employment increased in the suburbs during that time period, that it increased at that rate, or that it will increase significantly in the future. Moreover, if the rate of increase of office space in the suburbs was significantly greater than that of the downtown area, which of course this data confirms is not the case, such an increase would more likely be indicative of urban disinvestment (flight from the inner city) than of regional employment growth. If the cited data proves anything, it is that the Louisville downtown area is likely to grow at a much faster rate and have more pressing traffic needs than the eastern suburbs. Finally, the section completely omits a well documented need for residents of west Louisville to get to east end jobs, a need which would be best addressed by the rebuild of Spaghetti Junction and which will be unaffected by an east end bridge.

Future No Action Travel Conditions (Section 1.6)

Comments on pages 16-18:

The data presented in this section dramatically illustrates the extent of the problems associated with the Kennedy Interchange both now and in the future if no action is taken. Given the increasing magnitude of the problems with the Interchange, River Fields feels strongly that when the separate alternatives are analyzed in the EIS process, data such as that which is presented in this section leads to no other possible conclusion but that the Interchange rebuild is the most pressing problem and must be the first priority of the proposal ultimately approved. Another factor supporting the Interchange rebuild as the most critical traffic need facing this community is the age of the infrastructure. Indeed, the most recent legislation authorizing highway funds has recognized that repair of deteriorating infrastructure must be at the top of the nation's highway-planning priority list. It would be short-sighted and misguided to invest large amounts in new infrastructures while the old infrastructures deteriorate around us. This point has not been sufficiently addressed in the Draft Purpose and Need Statement.

Accidents and Other Incidents (Section 1.7)

Comments on last two paragraphs on page 16:

These paragraphs represent the kind of relevant and critical facts that River Fields believes should be presented in a Purpose and Need Statement so that the reader can understand the problems and assess how the proposed solution solves, or does not solve, the problem. Thus an accident rate 150% higher than the statewide average for Kentucky's urban interstate highways generally demonstrates a serious problem that must be addressed by the project. Likewise, the identification of the cause of the higher accident rate as the weaves and tight radii of the ramps provides insight into what factors must be considered in a proposal intended to solve the accident problem.

While inclusion of this kind of information is laudable, this Section suffers from a lack of concrete examples of the significant public safety problems or data that currently exist because of the problems with the interchange. At a minimum this Statement should set forth the statistics that the earlier studies cited that bring home the severity of the public safety issue. The Bi-State Bridge Feasibility Study, for example, gave interested readers the following information going to the heart of the public safety issue: "The critical injury rate factor exceeds 1.2 which is also abnormally high. The critical fatality rate is less than 1.0, which is expected since congestion within the interchange area causes a speed reduction." See Metropolitan Louisville Ohio River Bridge Study, Scoping Phase, Part 1, page 5. Surely this kind of basic information should be included in the EIS Purpose and Need Statement. Safety must be a key consideration for any

FHWA project. Accordingly, the Purpose and Need Statement should provide as much relevant information on safety as possible so that this important public need may be properly balanced against other more vague needs such as economic expansion.

Transportation System Linkage/Multimodal Access (Section 1.8) .

A. Comments on last paragraph of page 17:

The premise of this paragraph is that the east end bridge is needed because the 1969 regional transportation plan envisioned a circumferential highway system. However, there is absolutely no mention here of the numerous subsequent studies that show that the current critical need of the area's transportation network is relief of the safety and congestion problems inherent in the Kennedy Interchange. Thus it is incorrect to say that "completing" a circumferential highway is "a critical enhancement" to the area's transportation system. First of all, the current proposal does not "complete" the circumferential freeway system. Figure 1.1 demonstrates that even if an east end bridge were completed, there would still be significant gaps in the "circumferential" system. Second, the last sentence in this section which declares that a "substantial" portion of development in the area has been "greatly influenced" by the part of the circumferential system that has been built and "in anticipation of those that have not" is unsupported by any factual data cited in this document. Moreover, even if there were data to demonstrate that there has been development in anticipation of an east end bridge as a part of the "circumferential" freeway system, that would not be a reason to build the bridge. Rather, such a project should only be undertaken after it is demonstrated that it is the best solution to a critical need of the community. There is no data in this Purpose and Need Statement to support such a finding.

B. Comments on first and second paragraphs on page 18:

This paragraph more than any other appears to summarize the conclusion of this document: That the driving reason for an east end bridge is to provide a short cut for residents of Eastern Indiana who may wish to go to Lexington or Cincinnati and for residents of Eastern Jefferson County, Kentucky who may wish to go to Indianapolis. Although such people exist, there is no quantification of their existence in this document.

Further, the commercial vehicle and truck traffic statistics cited in this paragraph as presented cannot be used to justify any decision. Although this paragraph states that 35% of commercial vehicles originating in Eastern Clark County would "realize reduced travel time and distance savings with an east end bridge," there is no indication of amount of commercial traffic originating in Eastern Clark County. If the 35% is applied to a very small number, it could not serve as a basis for the proposed project. Additionally, there is no proof that these drivers would actually use an east end bridge even if it would reduce travel time. Likewise, the cited statistic that 10% of the truck movement for commercial travel "originating in Eastern Jefferson County with orientation to Eastern Clark County" is unsound without quantification of the total amount

of such traffic. If there were only 10 such total vehicles, for example, only one driver would realize any time and distance savings. That would not be justification for any project, especially not a project of the magnitude of the one at issue here.

It should also be noted that there is currently no mention or consideration in this document of the needs and travel patterns and wishes of residents in the western and southwestern portions of the metropolitan area. An assessment of the purpose and need for the proposed project would be more credible if the transportation needs and habits of all area residents were assessed and compared to determine where the most pressing needs lie.

C. Comments on third and fourth paragraphs on page 18:

The first sentence in the third paragraph, stating that transient traffic does not add to the income of the downtown area, is simply inaccurate. It is widely-recognized that transient traffic does add to the income of downtown areas as travelers stop to use commercial facilities such as restaurants and gas stations. Additionally, this paragraph's broad assertions as to diminished attractiveness to the Central Area as a result of transient traffic surely applies equally to additional traffic in the suburban region. Accordingly, this paragraph does not provide a basis for any conclusions on the purpose and need of the proposed project.

Likewise, the assertions in paragraph four to the effect that absence of an east end bridge inhibits mass transit and non-motorized travel potential for the area is unsupported. There is no evidence that the current links to the eastern suburbs in the two states are being used to render transit services between them.

D. Comments on last two paragraphs on page 18:

The next to last paragraph of this section asserts that the area's businesses would benefit from "completing the circumferential highway system." Once again, this is purely speculative and not supported by any underlying factual data. Moreover, as noted earlier, the TARC study has demonstrated that a substantial number of the area's major businesses that rely on the regional transportation system lie within the downtown area. These businesses would unquestionably benefit more from a rebuild of the Spaghetti Junction and a new downtown bridge than from a suburban bridge.

Finally, the last paragraph declares that the socioeconomic forecasts project a revitalized downtown area and vibrant growth in the region's perimeter. Undoubtedly everyone involved in this process hopes that those projections prove correct. To facilitate and effectuate a goal of a revitalized downtown and a vibrant perimeter, it is imperative that the community assess its most critical needs based upon the best information available. In regard to the community's traffic needs, the data to date demonstrates that the traffic and congestion needs arising from the problems with Spaghetti Junction simply must be addressed first.

Conclusion

River Fields appreciates the significant efforts that have gone into the preparation of the Draft Purpose and Need Statement. River Fields has presented extensive comments not in an effort to be hypercritical or obstructionist, but rather in an effort to use its extensive background and involvement in the study of this issue to ensure that the information and lessons gained from past events are utilized in the current process to make it more effective and efficient. To that end, and after extensive review of the current Draft Purpose and Need Statement, River Fields believes that this document does not sufficiently recognize the important safety and congestion issues arising from the problems with the Kennedy Interchange. River Fields further believes that the current draft document focuses too much on unsubstantiated economic benefits geared toward one segment of the community. More attention to the safety issues and less reliance on speculative economic benefits would yield a more equitable and balanced document to serve as a foundation for the NEPA process. Once again, River Fields appreciates the opportunity to participate in a meaningful manner in this most important process.

Very truly yours,

Kenneth W. Moore

President

Meme Sweets Runyon
Executive Director

MSR:rwg

Enclosures

cc:

Steve Cecil, INDOT Peter Wolff, KTC John Clements, CTS

Appendix A

Purpose and Need Statement

OHIO RIVER MAJOR INVESTMENT STUDY PURPOSE AND NEED STATEMENT

NOTE TO THE PUBLIC CONCERNING THE STATUS OF THIS DOCUMENT:

This document is being developed as part of the Ohio River Major Investment Study (ORMIS). It is an "approval version" for consideration by the Transportation Policy Committee (TPC) at their meeting of April 25, 1996. This version was approved by the ORMIS Committee at their meeting of April 3, 1996. The ORMIS Committee is an advisory committee to the Transportation Policy Committee. The Purpose and Need Statement will be incorporated into a larger Major Investment Study report later in the study, at which time additional modifications may be made to reflect any additional information available and comments made at that time.

INTRODUCTION

The Ohio River Major Investment Study is being conducted to identify solutions to problems associated with river crossing travel and to develop an investment strategy that can be used to implement a preferred solution (action) or set of solutions (actions). The Purpose and Need Statement defines the reasons that an action needs to be taken. The action taken (selected by analyzing and evaluating various alternatives) needs to show how it best addresses the purpose and need as stated here. One of the objectives of the Purpose and Need Statement is to provide a factual, fair, and complete identification of the problems as they currently exist and are expected to exist in the future.

The Purpose and Need Statement is organized into five major sections:

- Summary of Problems, Needs and Issues
- Transportation Issues
- Economic and Community Development Issues
- Environmental Issues
- Community Concerns (problems identified through public outreach)

SUMMARY OF PROBLEMS, NEEDS, AND ISSUES

1/=

This brief summary provides a listing of the basic facts concerning the problems and needs identified for the Ohio River Major Investment Study. This information will be used as the basis for generating possible solutions that will address the problems and needs identified. There is substantially more information in the body of the technical memorandum that explains the background behind the information listed here. Readers are strongly encouraged to read the background information to gain a more thorough understanding. The emphasis is on not

only identifying problems and needs, but backing them with factual data, to the extent possible. Some of the information presented provides background information as a context for the problems identified. Other information more directly describes the problems. The key points for the various areas discussed in the body of the report are listed below.

Traffic Volume Trends on Bridges

- Kennedy 106,000 vehicles per day (4.1% annual growth over last 8 years)
- Minton 51,000 vehicles per day (3.5% annual growth)
- Clark 20,000 vehicles per day (1.3% annual growth)

Kennedy Bridge/Interchange (I-65) Conclusions

- Available capacity is 73-77% consumed on Kennedy Bridge proper
- This represents borderline level of service D/E (on traffic engineer's scale of A to F,
- Additional lare being added northbound on bridge improves level of service to with F being worst)
- Current sources of congestion are in the merging and weaving areas of Spaghetti Junction, not on the bridge itself
- Bridge capacity will be fully consumed shortly after year 2000, if current growth rates
- Approximately one in every ten trips passes through Spaghetti Junction each day
- Traffic speeds on most ramps in the Spagnetti Junction area are 20 to 30 miles per hour during the AM and PM peak commuting periods.
- In the AM peak period, traffic congestion is most severe on approaches to Spaghetti Junction southbound on I-65 and I-71 and westbound on I-64 in the AM peak period.
- In the PM peak period, traffic congestion is most severe on approaches to Spaghetti Junction eastbound and westbound on I-64 and northbound on I-65.

Minton Bridge (I-64) Conclusions

- Little or no delay except during blockages
- Capacity would be fully consumed in year 2015 given current growth rates

Clark Bridge (U.S. 31) Conclusions

- Volume to and from bridge is limited by signalized intersections in the downtown
- Volumes are highly peaked with heaviest volumes southbound in AM peak hour and northbound in the PM peak hour
- Delays on the Clark Bridge southbound in the AM peak period and on the northbound approaches to the bridge in the PM peak period, due to contraints at signalized intersections in downtown Louisville.

Truck Statistics

- Truck volumes on Kennedy Bridge (from 1992 Origin-Destination Vehicular Study trucks identified as having 6 or more tires)
 - Trucks were found to be 12% of the southbound volume in AM peak hour (8-
 - Trucks were found to be 10% of the northbound volume in PM peak hour (5-6
 - Daytime percentage (7 a.m. to 7 p.m.) averages 13%, with high of 25% and low of 7% for any single hour
 - Truck percentages are lower on Minton Bridge and even lower on Clark Bridge
 - About half of truck trips entering the region pass through the region
 - The major connecting points for through truck trips are between I-65 from Nashville through the region toward Indianapolis on I-65 (6300 trips per day) and between I-65 from Nashville through the region toward Circinnati on I-71 (3400 trips per day)
 - Truck trips internal to the region are generated from throughout the region, not concentrated in a particular corridor (see dot maps in Purpose and Need Statement)
 - Trucks experience same delays/safety problems as other vehicles

Transit and Other Modes of Travel

- Transit, truck/rail intermodal transfer, pedestrian and non-motorized transportation, and other methods of demand reduction will be examined as part of the possible set of solutions. They are not defined as part of the river crossing problem.
 - Limitations in pedestrian and bicycle mobility across the Ohio River

Safety

- Accident rates in Spaghetti Junction and approaches are more than double rates for comparable sections of urban interstate
- Hazardous material incident data available from I-64 study
- Trucks carrying placarded hazardous materials are typically 0.5 to 1 percent of all
- traffic. About half is gasoline, other fuel, or petroleum 14 "major" hazmat incidents per year on I-64 in Jefferson County (100+ gallons wet material or 100+ pounds dry material)
- Less than one evacuation per year for highway-related hazmat spills
- Hazardous materials transportation will be evaluated in the alternatives phase, based on
- Summary: probability of life-threatening incident is low; planning for dealing with Federal guidelines. major incident is very important

Economic costs of delay and accidents in Spaghetti Junction area

- Excess delay: \$2.5 to 3.5 million per year
- Excess accidents: \$3 million per year
- Additional delay occurs due to accidents and other traffic incidents blocking traffic,

limited shoulders available for pulling vehicles out of the travel lanes, and restricted emergency vehicle access.

Economic and Community Development

- Economic development can be a project need
- There is no single set of economic development objectives
- Economic development important throughout region
- Purpose and Need Statement documents adopted objectives
- Evaluation will examine how objectives affected
- Alternatives may include an evaluation of land use changes

Environmental: Air Quality

- Region currently in non-attainment for ozone
- Air quality is improving and should continue to improve if the area maintains its efforts
- Improvement in mobile source emissions is mainly due to vehicle fleet turnover, fuels, inspection/maintenance program. Industry and area sources have also made major contributions to air quality improvement.
- The impacts of solution alternatives on air quality will be examined as part of the alternatives evaluation phase
- Need to watch localized carbon monoxide impacts when designing solutions
- Other environmental concerns will be addressed when evaluating solutions

Summary of Problems and Needs

The following presents a consolidated list of problems and needs that have been identified as part of the Purpose and Need Statement. These and the information presented in the body of the report will be used as the basis for generating ideas for solutions to the river crossing problem

- Current traffic congestion and delay during commuting hours at ramp merge and diverge areas in Spaghetti Junction. The delays negatively impact all traffic, including commuters, buses, trucks, shoppers, visitors, etc.
- Delays during commuting hours on the Clark Bridge southbound in the AM peak period and on the northbound approaches to the bridge in the PM peak period, due to contraints at signalized intersections in downtown Louisville.
- Delays to commercial vehicle traffic crossing the river
- Accident rates more than double the typical average on interstate highways and ramps on I-65, I-64, and I-71 near the downtown area.
- Traffic accidents and incidents, including infrequent hazardous materials incidents, that periodically close lanes on Ohio River bridges or ramps leading to the bridges, causing
- Difficulty for access by emergency vehicles to service incidents on the Kennedy Bridge major access problems.

due to geometric limitations on each side of the bridge.

Traffic volume growth on I-65 that is likely to exceed the capacity of the Kennedy Bridge shortly after year 2000 (to be verified with traffic volume forecasts - the current Long Range Transportation Plan identifies the need for an additional river crossing based on prior travel demand model results)

Current non-attainment for ozone in the study area and need to minimize creating of

Economic costs incurred from excess delay (both normal delays and delays due to traffic incidents) and excess accidents occurring on roadways in the vicinity of the

Need for the transportation system to support various regional economic development

objectives

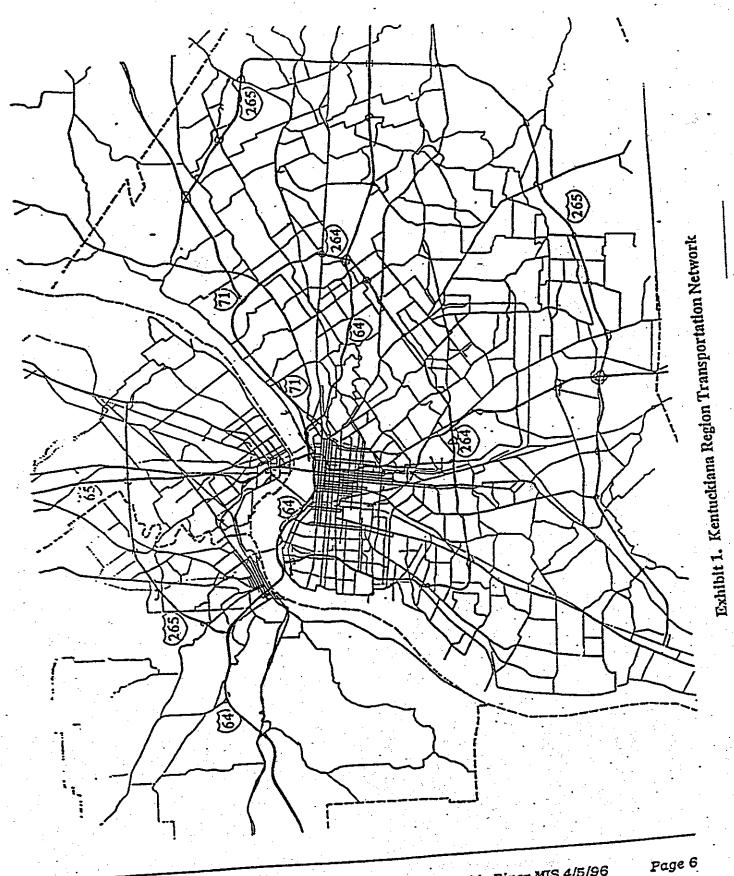
The remainder of this technical memorandum provides background data and assessments of the various issues surrounding river crossing travel.

TRANSPORTATION ISSUES

One of the assets of the Kentuckiana region is the Ohio River. It has long served as one of the major transportation arteries of this region, and in more recent years has become a focus for recreational activity. But just as the Ohio River serves as a transportation facility of its own, so too it has been a barrier for other forms of transportation. Locations to cross the Ohio River are limited, and have become more congested.

The economies of many American cities have been heavily influenced by transportation access. This is one reason that the Kentuckiana region has held its own in terms of economic development. Its connections via highway to other major cities are excellent. Its airport has been a factor in attracting and retaining key businesses. Freight rail service is ample as well. Exhibit 1 illustrates this multi-modal transportation system (larger study area map will be provided in a prior section). The interstate system is comprised of the following:

- I-65 connecting the Kentuckiana region with Indianapolis to the north and Nashville to the south
- I-64 connecting the region with Lexington and eastern Kentucky to the east, and Evansville and St. Louis to the west
- I-71 connecting the region to Cincinnati
- I-264, providing an inner ring of "cross-town accessibility" on the Kentucky side of the river, and



I-265, providing cross-town accessibility independently in both Indiana and Kentucky.

Primary arterials fill out the roadway transportation network that provides the principal access within and through the region.

Several major transportation projects have been completed in recent years, most notably, the widening of I-264 to four lares in each direction, with major system interchanges at I-65, I-64, and I-71. I-265 in Indiana was recently extended from I-65 to Route 62. However, just as the three principal radial interstates (I-64, I-65, and I-71) have provided excellent access within and through the region, so their convergence near downtown Louisville now presents problems. Much of the need to address the river-crossing issue stems from the geometrically complex junction of these three intenstates near the downtown, an area widely known as "Spagnetti Junction." The rail system consists of numerous north-south and east-west corridors that carry i. gnerver Jerne notice freight, but that support no passenger travel at the present time.

Traffic Congestion Problems

Traffic Volumes on the Existing Bridges

The Kennedy bridge and interchange complex, including Spaghetti Junction, is clearly one of the most pressing traffic problems in the region. What is not so clear are the specific sources of those congestion problems within the complex. Careful observation of the data indicates that much of the congestion originates in the ramp connections within Spaghetti Junction and is not necessarily attributable to the bridge itself.

Recent research on traffic capacity under narrow lane conditions (11 foot lanes with no shoulders) indicates that traffic throughputs can be sustained at up to 2200 vehicles per hour. This is only slightly lower than the 2300 maximum per-lane hourly capacity for well-designed, flat freeway sections without excess truck traffic. By comparison, traffic throughput on the Woodrow Wilson Bridge (with 11 to 11.5 foot lanes and no shoulders) in the Washington D.C. area consistently accommodates 2200 vehicles per hour per lane in the peak hour, with five percent of those vehicles being trucks.

The Kennedy Bridge may have lower capacity than these other facilities, due to the physical enclosure of the structure itself and, more importantly, to the volumes of trucks on the facility (between 7 and 25 percent trucks, depending on the hour of the day - the average daytime truck percentage is 13 percent). It is difficult to judge the capacity of the bridge itself, as the geometrics of the approach ramps limit the amount of traffic that can actually reach the bridge. However, lane capacity on the Kennedy Bridge is calculated to be 2075 southbound in the AM peak hour and 2095 northbound in the PM peak hour, based on 12 percent and 10 percent



trucks, respectively. Further discounting for the physical enclosure of the bridge structure suggests an estimated capacity of 2000 vehicles per hour per lare or approximately 6000 vehicles per hour in each direction. Peak hour volumes (including the above percentages of trucks) on the Kennedy bridge are approximately 4600 southbound in the AM peak hour and 4400 northbound in the PM peak hour. This means that bridge capacity is between 73 and 77 percent consumed in the peak hours. Ideally, facilities are designed to operate below capacity, but in most urban areas, financial constraints do not allow facilities to be designed with excess capacity.

Traffic engineers use a letter scale from A to F to designate traffic "levels of service." On a freeway, level of service F means that the absolute capacity has been exceeded and that traffic is backing up behind the congested area. Level of service A means free flow and lower volume traffic. The 1994 Highway Capacity Manual indicates that, for facilities with lower design speeds, such as the Kennedy Bridge, level of service E is reached when traffic volumes are between 76 and 80 percent of capacity. Thus, the current operation of the Kennedy Bridge proper is on the borderline between level of service D and E in the peak hour.

Exhibit 2 illustrates the trends in daily traffic volume growth for the northbound and southbound traffic on the three bridges. The exhibit shows the relatively stable traffic volumes on the Clark Bridge, and significant growth on the Kennedy and I-64 Bridges. Over the last eight years, traffic volume on the Kennedy bridge has increased at a compounded rate of 4.1 percent per year, carrying approximately 106,000 vehicles per day. At this rate of growth, the bridge capacity will be completely exceeded in the peak hour by approximately year 2000. Thus, although correcting ramp geometrics may relieve current congestion problems to some extent, expected continued growth in volume will result in the capacity of the bridge itself being reached in approximately five years. Traffic forecasts are needed from the new KIPDA traffic model in order to obtain a better picture of future traffic growth, based on forecasts of population and employment growth. Demographic data on which the model is based suggest that future traffic growth may be lower than recent trends. Annual growth rates for the I-64 bridge and the Clark Bridge are 3.5 percent and 1.3 percent, respectively over the last eight years. At current growth rates, the capacity of the Minton Bridge would not be exceeded until approximately year 2015. If forthcoming KIPDA traffic forecasts for year 2020 are consistent with projected growth in population and employment in the region, it is unlikely that the 3.5 percent annual growth will be sustained, giving additional years before the Minton Bridge reaches capacity. The capacity of the Clark Bridge is not likely to be exceeded, due to the capacity limitations of intersections at the south end of the bridge in downtown Louisville. The

Traffic Speeds in the Kennedy Interchange Complex NOW. What What relationships, particularly relationships. particularly relationships, particularly in a complex geometric setting such as Spaghetti Junction. Changes

TRAFFIC VOLUME TRENDS (CROSSING OHIO RIVER)

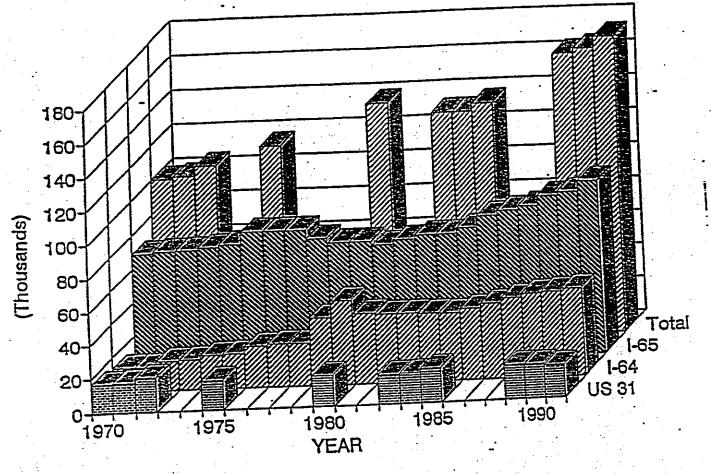


Exhibit 2. Average Daily Traffic Volumes on Bridges Crossing the Ohio River

in speed are a much better indicator. A location where speeds are low, followed by a location where speeds are higher is one good indication of a bottleneck, or source of congestion.

Exhibits 3 and 4 illustrate the results from a set of peak hour (AM and PM) travel time runs conducted in 1994 by the HNTB study team for the Kennedy Interchange Complex study. The numbers indicate the speed range (2 = 20-29 mph; 3 = 30-39 mph, etc.). The travel time runs were conducted in Summer, 1994, during which traffic volumes were likely to have been slightly lower than average. The areas of congestion are likely to be slightly longer for a typical slightly lower than average. The areas of congestion are likely to be slightly longer for a typical spring or Fall weekday than those shown here. It should be recognized that the travel time runs represent conditions prior to the beginning of the current construction project on the Kennedy bridge. Examination of this information and observation of traffic conditions suggest the following:

• In the AM peak hour, a primary source of congestion is the high volume on the ramp from I-64 to southbound I-65. This is a heavy movement, carrying almost 3200 vehicles in the AM peak hour toward the employment centers on I-65.

Another source of AM peak hour congestion is the ramp merge between westbound I-64 and southbound I-71 prior to their merge with I-65 southbound. Traffic on I-64 backs up from this merge to at least Story Avenue, a distance of approximately one mile. There is typically a significant traffic backup from this merge point on I-71 as well. It is noteworthy that neither of these problems are caused by capacity problems on the bridge: they have to do with heavy volumes and complex geometrics within Spaghetti Junction.

On I-65 southbound in the AM peak period a source of congestion appears to be the diverge point of ramps to I-64 eastbound and I-71. The southbound through lanes on I-65 do not appear to be a bottleneck. The southbound traffic congestion has temporarily become more significant during the construction period on the bridge over the last several months.

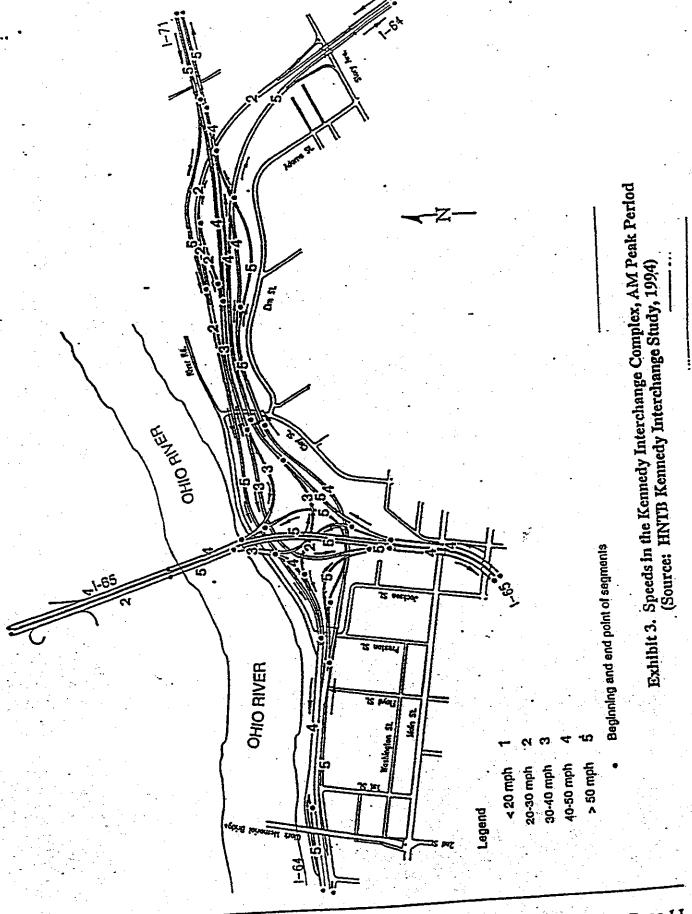
In the PM peak hour, a major source of congestion is the merge point between I-64 westbound and I-64 eastbound as they exit to I-65 northbound. The I-64 eastbound ramp to I-65 northbound is currently controlled by a yield sign, although both ramps operate in a forced flow (stop-and-go)condition.

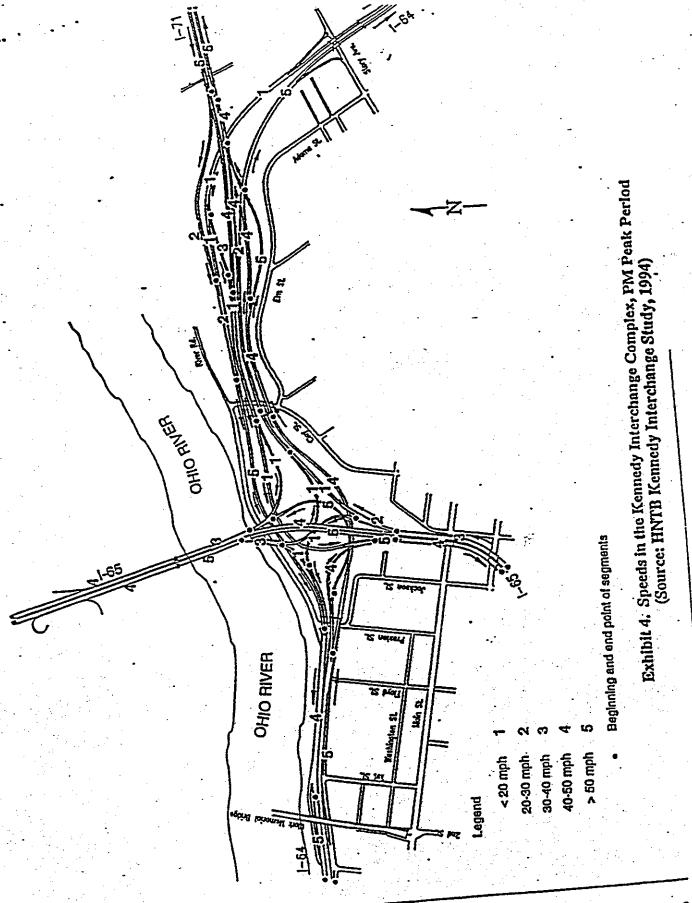
An additional source of PM congestion is the merge between the ramps from westbound I-64 and southbound I-71.

Also in the PM peak hour, congestion occurs at the junctions between the I-65 northbound and southbound ramps as they merge into I-64 westbound, and at the I-65 northbound and southbound ramps that merge into I-64 eastbound. During the time of the travel time runs, speeds on the bridge were free-flow in both directions. The ramp merges in Spaghetti Junction were the constraint.









The current construction project on the Kennedy bridge is adding a fourth northbound lane by narrowing some of the existing lanes and using some of the existing shoulder. This will permit free flow onto the bridge for each of the I-64 ramps. Of the four northbound lanes, two will be 11 feet and two will be 12 feet (normal lane width). Shoulders will be approximately two feet on each side. Three lanes will be retained southbound, but striping will be medified to improve on each side. Three lanes will be retained southbound, but striping will be 11 feet and the the distribution of traffic volumes across the lanes. One of these lanes will be 11 feet and the other two will be twelve feet. The benefits of adding a northbound lane to the bridge are described by the Kentucky Transportation Cabinet as follows:

- Eliminates the I-64 east and I-64 west merge on a 5% upgrade
- Eliminates a yield and often stop condition on an Interstate to Interstate ramp
- Minimizes the backup of traffic onto the I-64 mainline
- Improves the ability for I-64 and I-71 to weave on the I-64 mainline (as traffic should not back up into I-64 from the merge area)
- Provides a two-lane exit to Court Street on the Indiana side
- Improves the level of service to I-65 on the bridge
- Addresses the accident problem at the I-64 to I-65 northbound ramp merge (mostly rear-end accidents)

The level of service in the northbound direction on the Kennedy Bridge proper will be on the borderline between C and D once the fourth northbound lane is available, an improvement of one level of service. However, ramp merges and weaving areas on both the Indiana and Kentucky sides will incur lower levels of service than the bridge itself.

The Sherman Minton (I-64) and Clark Memorial (U.S. 31) Bridges

The I-64 bridge is three lanes in each direction and operates without delays throughout the day, unless there a traffic accident or incident occurs. The Clark Bridge is two lanes in each direction and feeds directly into the Louisville downtown area from the Indiana side. Delays do occur on the Clark Bridge, primarily in the morning southbound and on approaches to the bridge in the evening peak northbound. The delays occur because of limited capacity at bridge in the evening at the bridge terminal point in the downtown. Traffic volumes on the signalized intersections at the bridge terminal point in the downtown. Traffic volumes on the Clark Bridge in the peak hours are highly directional, with as much as 80 percent of the volume moving in the peak direction.

Origin-Destination Patterns

The KIPDA travel demand model will be used to estimate future travel demands for year 2020 based on origin-destination travel patterns. This information will be analyzed in more detail during the analysis of alternatives.

Survey data has been used to confirm various aspects of the modeling process. For example, the 1992 Origin-Destination Vehicular Study. Ohio River Screenline examined the movement of traffic across the Ohio River. A screenline is an imaginary line used as a reference point for counting traffic volumes. The study divided trips crossing the Ohio River into three categories: internal trips (trips that stay entirely within the region), internal/external trips (trips that have one end in the region and the other outside) and external/external trips (trips that pass through the region). The study documented the following percentage ranges for each category of traffic crossing the Ohio River:

- Internal trips: 63 to 69 percent of trips across the river
- Internal/external trips: 22 to 28 percent of trips across the river
- External/external trips: 6 to 12 percent of trips across the river

Exhibit 5 extracts a figure from the Origin-Destination Study of showing the location of origins and destinations of the internal trips that cross the river. The trips are grouped into 15 "superzones." The height of the bar represents the number of daily trips to and from each zone that cross the river. As indicated in Exhibit 5, there is a strong attraction of trips across the river from the two Indiana zones adjacent to the river.

An evaluation of traffic volume data indicates several interesting facts concerning trip patterns across the Ohio River and in the Spaghetti Junction area:

- Of the slightly more than 2 million trips per day in the Kentuckiana region, approximately 9 percent cross the Ohio River. This figure includes crossings on all three bridges, a total of nearly 180,000 per day.
- Approximately 11 percent of all regional trips pass through Spaghetti Junction on a daily basis. This represents approximately 228,000 trips per day. Approximately 25 percent of trips passing through Spaghetti Junction also cross the Kennedy Bridge. In other words, 75 percent of the trips passing through Spaghetti Junction do not cross the Kennedy Bridge. The 1993 daily traffic volumes in the Spaghetti Junction area are shown in Exhibit 6.

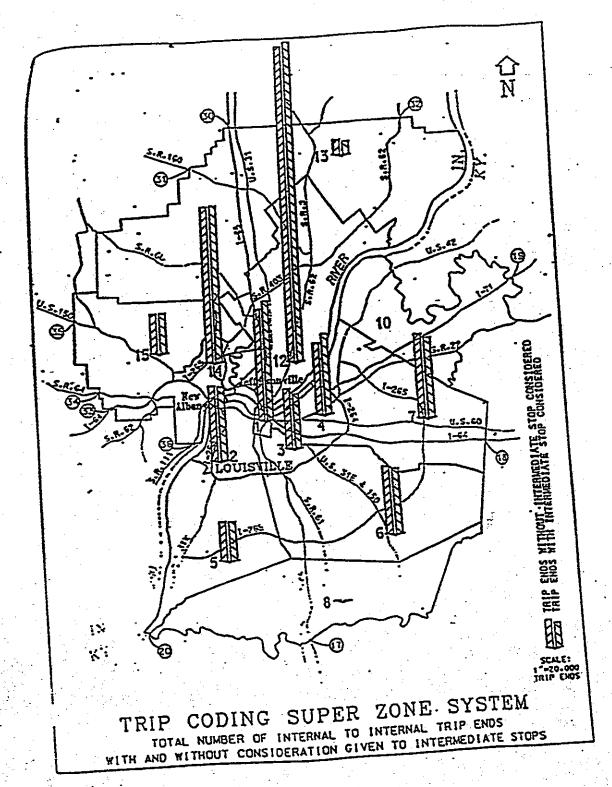


Exhibit 5. Number of Trips that Cross the Ohio River to and from Various Zones (Length of bar represents the number of trips; separate bars shown for trips with and without intermediate stops; source: 1992 Origin-Destination Survey

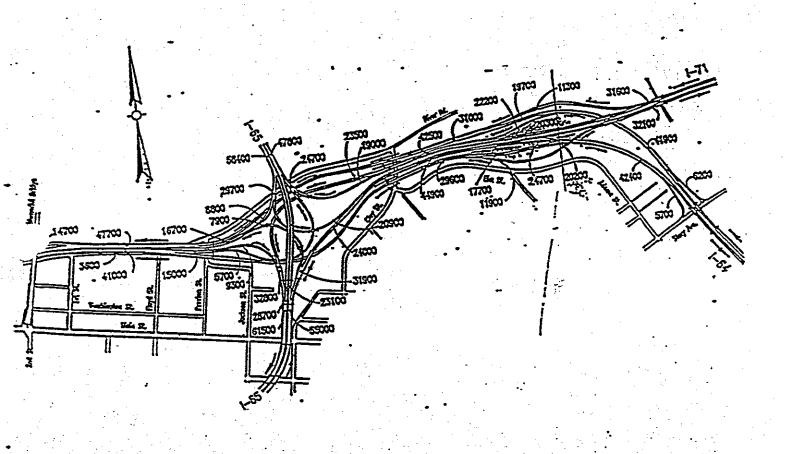


Exhibit 6. Daily Traffic Volumes in the Spaghetti Junction Area (Source: HNTB, 1993)

Another general indicator of overall trip patterns can be represented by plots of household and employment density in the region. Household density is calculated as the number of households per acre from the 1990 census. Employment density is calculated as the number of employees per acre. KIPDA has generated color density plots (1990 households per acre and employees per acre) for all the traffic analysis zones (over 600) in the planning area. (These are employees per acre) for all the traffic analysis zones (over 600) in the planning area. (These are incorporated by reference and have been provided in large format display boardsseparately from the Purpose and Need Statement.) Greater numbers of trips (per unit of area) are generated from higher density areas. The travel demand model will reflect this type of density information as it simulates travel patterns during the evaluation of alternatives in the next phase of the project, using data for year 2020 (growth projections referenced in a later section). The travel demand model will also be able to visually show the relative attraction of trips between all the traffic analysis zones, providing a picture of where the majority of trips come from and are going to within the region. The travel demand model can simulate transit trips separately from other traffic.

Truck Volumes

The volume of trucks crossing the Ohio River in the Kentuckiana region are as high or higher than in other comparable urban areas. Traffic and safety problems crossing the Ohio River affect truck traffic and thereby affect commerce. Exhibits 7 and 8 show the percentages of trucks crossing at the three bridge locations by hour of the day. The percentages include all buses and trucks, defined as any vehicle with more than four tires, including two-axle vehicles. Typically, approximately 50 percent of the total trucks are heavy trucks.

As indicated earlier, the percentage of trucks on the Kennedy Bridge is 10 to 12 percent in the peak hour, peak direction of flow. The daytime average truck percentage (between 7 a.m. and 7 p.m.) is 13 percent. This percentage is at least as high or higher than on many other urban interstates elsewhere. For example, the daily truck percentages on I-65 inside the beltway in Indianapolis, on I-71/75 over the Ohio River in Cincinnati, and on I-65 in Nashville are between 10 and 11 percent. The highest hourly truck percentages are southbound on the Kennedy Bridge, with trucks comprising nearly 26 percent of all traffic between the hours of 9 and 10 a.m. This increase in percentage from the peak hour (12 percent) suggests that many trucks are waiting until the peak is over before starting their trip. The lowest hourly truck percentage is 7 percent, on southbound I-65 between 7 and 8 a.m. A tractor-trailer truck is typically equivalent to at least 1.5 passenger cars in terms of the amount of roadway capacity consumed (source: 1994 Highway Capacity Manual, Transportation Research Board). The value cited is for level roadways. On rolling terrain, a truck consumes three times the capacity of a car, and the multiplier can be substantially higher for individual extended upgrades (but no single value can be cited here, as individual situations are unique). Thus, the impact of a large truck on traffic operations is more significant than just the percentage of traffic it represents.

TRUCKS/BUSES CROSSING OHIO RIVER I-65, I-64 & US 31 BRIDGES (KY TO IN)

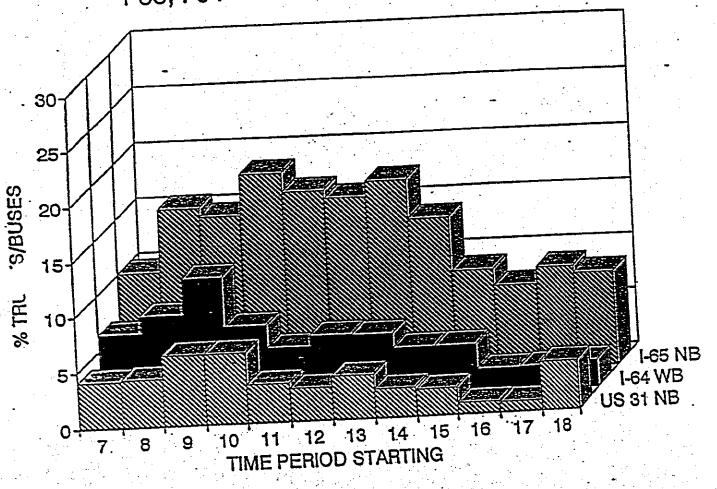


Exhibit 7. Percentage of Trucks and Buses Crossing the Ohio Riverfrom Kentucky to Indiana (Source: 1992 Origin-Destination Survey)

TRUCKS/BUSES CROSSING OHIO RIVER I-65, I-64 & US 31 BRIDGES (IN TO KY)

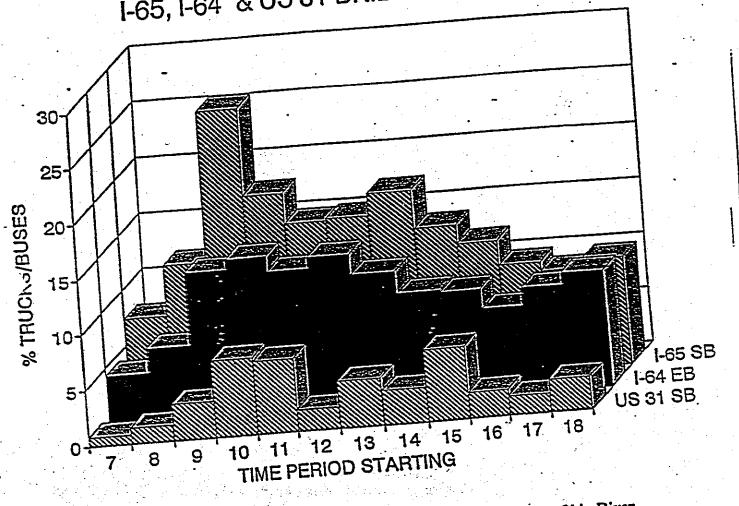


Exhibit 8. Percentage of Trucks and Buses Crossing the Ohio River from Indiana to Kentucky
(Source: 1992 Origin-Destination Survey)

Data from the KIPDA External Origin-Destination Survey (data gathered in 1994) indicates that a significant percentage of trucks that enter the region from the outside are through trips. Exhibit 9 shows the percentages of trucks at the four weigh stations that travelled through the region and exited at various points. The surveys were conducted as trucks left the region at the weigh stations, not as they entered. The through trip percentages range from 63 percent (percentage of trucks leaving the region on I-65 toward Nashville that are through trips) to 36 percent (percentage of trucks leaving the region on I-64 toward Lexington that are through trips). The strongest external-external attractions for truck trips are between I-65 from Nashville through the region toward Indianapolis on I-65, between I-65 from Nashville through the region toward Cincinnati on I-71, and between I-65 from Indianapolis through the region toward Lexington on I-64.

Exhibit 9. Origins of Truck Trips Leaving the Region (Source: KIPDA External Origin-Destination Survey, 1994 data) (Read columns downward - surveys were conducted for the outbound direction)

and

Lexington on I-64	toward Indianapolis on I-65	toward Nashville on I-65	toward Cincinnati o I-71
	<u> </u>	2%	0%
12%		1%	6%
		-	38%
		30%	1%
	0%	30%	-
0%			2%
2%	2%		
619	55%	37%	53%
		100%	100%
100%			
	12% 1% 21% 0% 2%	- 12% 12% 5% . 1% . 26% . 21% . - . 0% . 2% . 2% . 64% . 55%	1-64 1-05 12% 2% 12% 5% 1% . 1% 26% - 21% - 30% 0% 0% 30% 2% 2% - 64% 55% 37% 100% 100%

Data on truck trip generation for Kentuckiana region businesses has been generated through a KIPDA-sponsored survey. The survey was conducted of over 2000 of the larger husinesses in

Purpose and Need Statement, TPC Approval Version, Ohio River MIS 4/5/96

both Indiana and Kentucky, based on identification through Dun and Bradstreet data. The locations were identified and an estimate of the number of truck trips (both all trucks and large trucks) and number of employees was requested.

JHK & Associates tabulated the data by zip code to make an assessment of the geographic distribution of truck trips. Two exhibits are presented: Exhibit 10 shows the distribution by large trucks; Exhibit 11 shows the distribution by total trucks. The diameter of the dot represents the number of trips from each zip code area. The larger the dot, the greater the number, as shown in the legend. The dots are located somewhere in each zip code zone, and are not necessarily located directly over a particular concentration of trips within that zone. The data can only be shown by zip code, as the data are not available by traffic analysis zone.

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The results point to some trends that are relevant to the Ohio River MIS. One of the observations is that there is no isolated concentration of truck trip origins and destinations. They are spread throughout the region. However, the large truck trips would appear to be slightly more concentrated than others. It is clear that mobility of commercial vehicles are throughout the region is a critical issue. To the extent that these commercial vehicles are limited in their mobility across the river, it is a significant problem to the Kentuckiana economy. Longer delivery times for trucks translates into increased costs for products and reduced competitiveness with businesses elsewhere. Additional data are being sought to identify the characteristics of internal truck travel.

Safety Problems on I-65 and I-64

Accident rates on I-65 in Indiana and Kentucky in the vicinity of the Kennedy bridge are substantially higher than the average of those of comparable sections on the interstate system elsewhere (see Exhibit 12). Accident rates are also substantially higher on I-64/71 in the Spaghetti Junction complex. The "critical rate factor" is used to express the magnitude of an accident problem relative to what one would normally expect for a comparable facility. It is the ratio of the accident rate on the section of interest divided by average rate for comparable roadway types in comparable areas. As indicated in Exhibit 12, the accident rates for I-65 north and south of the Kennedy Bridge and on roadways in Spaghetti Junction are typically between 2.2 and 2.5 the rate of the comparable sections (although no sections will be exactly comparable to the unique conditions in the Spaghetti Junction area). Exhibit 12 also shows the critical rate factors for injury accidents. The critical rate factors here are lower, but still above average. It is expected that the reason critical rate factors for injury accidents are lower is that speeds within the Spaghetti Junction area are also lower, due both to the geometric design and to congestion. Slower speeds typically produce less severe accidents. The I-65 Incident Management Study indicated that there were 239 accidents in 1993 between Muhammad Ali Boulevard and the north end of the Kennedy Bridge alone, more than double the number that would be expected for comparable sections elsewhere on the interstate system.

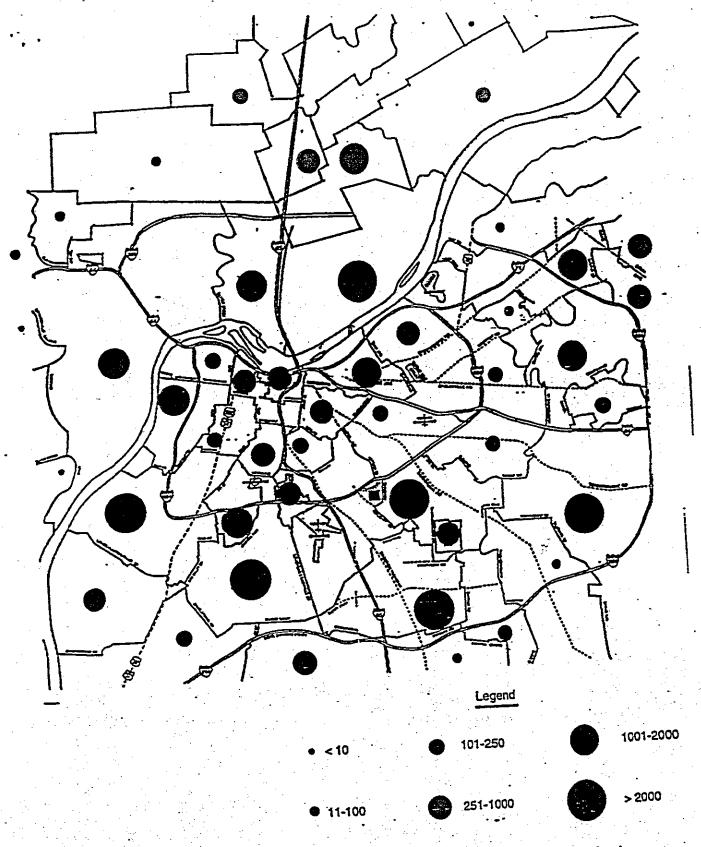
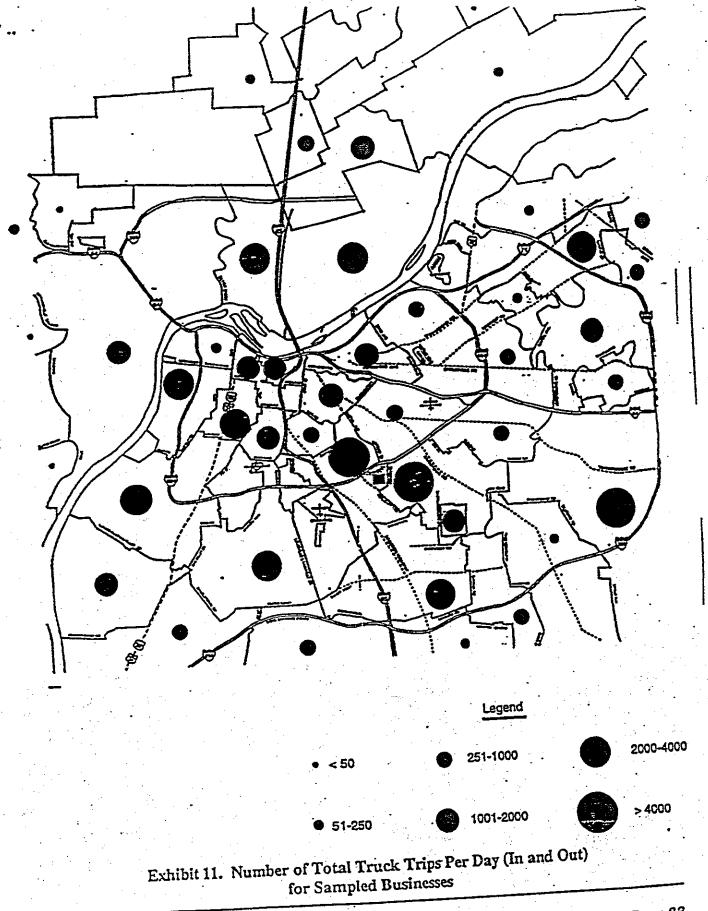
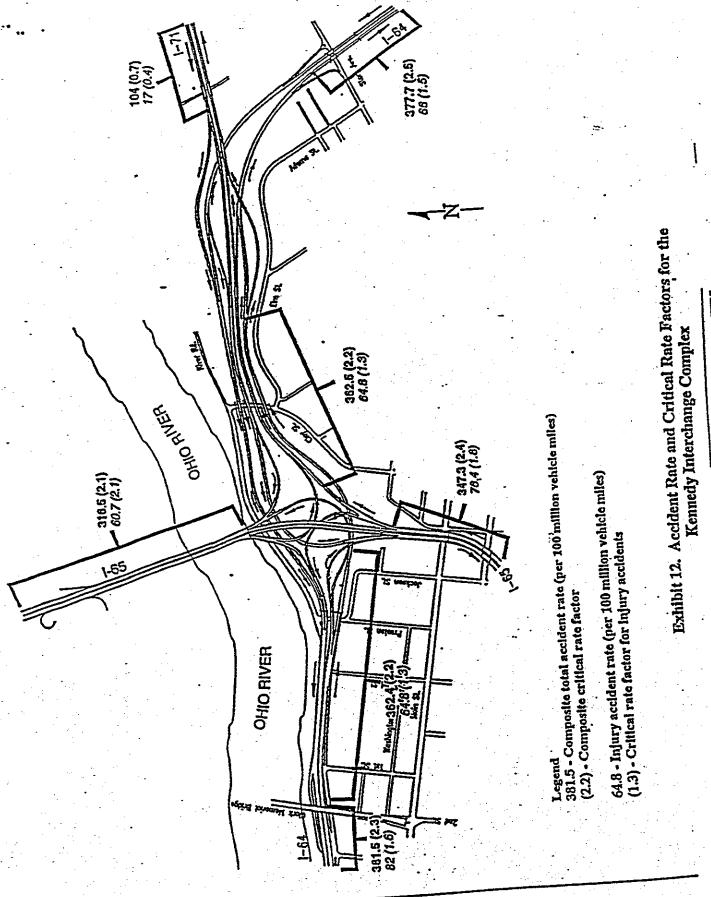


Exhibit 10. Number of Trips Per Day for Large Trucks (In and Out) for Sampled Businesses





Safety problems can often be traced to complex geometric conditions, merging areas, weaving areas, and other situations where drivers are required to pay particularly close attention to the driving task. The complex weaving that occurs in Spaghetti Junction is an obvious area where these additional driving demands take place. However, they also occur on virtually all the approaches to the Kennedy interchange complex. Weaving and merging problems occur on I-approaches to the Kennedy Bridge to the north through Court Avenue and 10th street, on I-65 from the Kennedy Bridge to the south through Muhammad Ali Boulevard, and on I-64 from I-71 to the exit/entry points at Third and River Road.

Traffic accidents and other incidents also block traffic, causing delay and additional safety problems. These incidents are particularly difficult to deal with in locations where access by emergency vehicles is limited. The restricted geometrics in the Spaghetti Junction area tend to exacerbate the effects of incidents, as the single-lane ramps and limited shoulders make access exacerbate the effects of incidents, as the single-lane ramps and limited shoulders make access for emergency vehicles difficult, requiring longer for incidents to clear. Specific data on non-accident incidents in Spaghetti Junction is not available.

Direct Economic Impacts of Congestion and Safety Problems

Traffic delays have direct impacts on travel and commerce. Trips for commuting, business, and other daily activities take longer. There are also economic costs of property damage and injuries from traffic collisions. The direct economic impacts of delay and safety problems can be approximated by relating delay and accident occurrences to typical dollar costs of these impacts. An on-going study being sponsored by the Transportation Research Board (NCHRP Project 2-18(2), "Valuation of Travel Time Savings and Predictability in Congested Conditions for Highway User Cost Estimation") has documented the value of a vehicle hour of travel for various types of vehicles. The value of time for automobiles (includes a mix of commuting and business travel) is \$11.44. The value for 5-axle combination trucks is \$31.34 per hour. Given these values, a reasonable weighted average for the mix of trucks and autos on the river crossings would be \$14 per vehicle hour. A more detailed analysis of the economic impacts, including an estimate of the individual costs to both commercial and non-commercial traffic, will be conducted as alternatives are evaluated. The cost of an injury accident in Kentucky is valued at \$54,000, and the cost of a property damage only accident is valued at \$3000 (source: Kentucky Transportation Cabinet). A typical weighted average for accidents that occur on interstates in this area is \$13,000 per accident.

Using data from the speed studies, volume counts, and accident statistics, an approximation was made of the direct economic costs of delay and accidents on the Kennedy Bridge and surrounding interstate roadways. Excess delay was estimated by taking the difference between the vehicle hours of travel for the existing congested condition and the vehicle hours that would occur if speeds were all at 55 mph. This difference was multiplied by \$14 per vehicle hour. The resulting delay estimate does not include the increased delays associated with the occurrence of traffic incidents. The excess cost of accidents was estimated by taking the

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difference between the actual accident rate and the average rate, multiplying by vehicle miles of travel and multiplying this result by the \$13,000 cost per accident. The estimates were made from the AM peak hour and extrapolated to a daily and annual basis. It should be understood that the estimates are approximate, and that the evaluation of alternatives will examine the economic costs in more detail later in the study. The purpose of this analysis was to estimate the order-of-magnitude of the economic impact.

The results suggest that \$2.5 million to \$3.5 million per year is the direct economic cost of excess delay. The annual economic cost due to excess accidents is in the range of \$3 million per year. Again, these numbers represent conditions on the interstates that converge at the Kennedy Bridge (approximately one mile in each direction from the bridge) near downtown Louisville and are an order-of-magnitude estimate.

Delay From Traffic Incidents .

It should be recognized that the delay estimates described in the previous section represent conditions that are not influenced by accidents or other traffic incidents. When a traffic incident (such as a breakdown, stall, accident, etc.) occurs, traffic congestion and delays increase. In areas without shoulders, the result is particularly significant, as the damaged or stalled vehicles cannot move to the shoulder but instead block traffic lanes. In addition, emergency vehicle access takes longer, resulting in slower removal times and even longer delays. Shoulders are particularly limited on the interstate approaches to Spaghetti Junction and on the Kennedy and Clark Bridges. Limited shoulders make that area more vulnerable to delays from incidents, even minor ones. The additional delay due to traffic incidents cannot be accurately estimated for the Kentuckiana region or the Spaghetti Junction area. Transportation studies of incident delay have estimated that half the traffic delay on freeways can be attributed to traffic incidents. However, this varies from region to region depending on traffic levels, frequency of incidents and other factors. Using the assumption of half the delay being incident-generated would indicate that the delay estimates for the Kennedy Interchange/Spagnetti Junction area te doubled.

Hazardous Materials Transport

The ORMIS Committee is deeply concerned about the effects on public safety. A guiding principle for the ORMIS Committee is that no solution alternative will be advanced that worsens or adversely affects public safety regarding such factors as the transport of hazardous materials, regional air quality, water supplies, and other transportation-related safety matters. Since the ORMIS Committee has not yet defined solution alternatives with the public and study experts, the Committee cannot make definitive statements about the positive or negative effects on public safety of these solution alternatives. The impacts of the more promising solution alternatives on public safety will be assessed at a later stage of the ORMIS. study process. This will include an assessment of hazardous materials transport.

One of the concerns expressed at public workshops associated with the Ohio River MIS is the vulnerability of mobility within the region to major hazardous materials spills or incidents on the interstate system in the region. Concerns were also expressed regarding the vulnerability of facilities such as hospitals, which are more difficult to evacuate than other vulnerabilities. Dealing with hazardous materials in a transportation study requires a balanced facilities. On one hand, the region needs to take seriously the response mechanisms for approach. On one hand, the region needs to take seriously the response mechanisms for dealing with hazardous materials incidents. On the other hand, experience has shown that the hazardous materials transportation has not been a major threat to life and property adjacent to transportation facilities.

Data are limited on the number of trucks carrying hazardous materials on area roadways. The most descriptive hazardous material (hazmat) data available are from the I-64 Corridor Commodity Flow Analysis (June, 1995), a statewide study of I-64 hazardous materials travel and incidents, conducted by Morehead State University. A similar study is being conducted for I-65, with preliminary data to be available in summer, 1996. One day of data is available from the I-65 weigh station in Seymour Indiana that indicates hazmat trucks to be approximately one percent of all traffic approaching the region on I-65 from the north.

The I-64 hazmat transport data most relevant to the Ohio River MIS is that collected at the weigh station in Shelby County. Over 300 hours of observation of truck traffic was conducted at this weigh station, identifying the materials based on the required hazmat placards. Some of the relevant findings from the weigh station include:

- The average hourly frequency of placarded trucks carrying hazmats is 9 per hour
- Approximately 5.4 percent of the trucks passing through the Shelby County weigh station are carrying placarded hazardous materials.
- If this ratio of total trucks to hazmat trucks were to generally hold throughout the interstate system, hazmat trucks would typically constitute 0.5 to 1 percent of total traffic. On the section of I-65 from Broadway to the I-64 ramps (1995 average daily traffic = 123,000), this would translate to approximately 600 to 1200 loads of hazardous materials per day or 26 to 51 hazmat trucks per hour.

The I-64 commodity flow study also documented the number of transportation incidents involving hazardous materials on I-64. Definitions of hazmat incidents vary among agencies, but for the purpose of the I-64 commodity flow study, an incident was defined as any documented truck hazmat spill, no matter how small. The following lists the number of transportation hazmat incidents on I-64 in Jefferson County between 1990 and 1994:

- 1990 45
- 1991 53
- 1992 79

- 1993 178

Between 1990 and 1994 in Jefferson County, an average of 14 transportation incidents per year on I-64 involved "major" incidents. This represents approximately one-seventh of the annual average number of hazmat transportation incidents on I-64 in Jefferson County. A major incident was defined as the release of at least 100 pounds of dry hazardous material or at least 100 gallons of wet hazardous material. Nearly 50 percent of the transportation hazmat incidents on I-64 in Jefferson County involved gasoline, other petroleum products, and other flammable liquids. Liquid acids represented 7.4 percent of the incidents. Response plans exist in the region for dealing with these events.

The study also documented the number of fixed facilities (terminals, municipal water plants, manufacturing plants, etc.) that maintain storage of at least 500 pounds (or the established threshold quantity) of Extremely Hazardous Substances (EHSs). There were 202 such facilities in Jefferson County at the time of the study. Discussion of the hazmat transportation issue with Louisville/Jefferson County Disaster and Emergency Services indicated that the vast majority of hazmat incidents have not endangered the public or facilities near the roadway. Although exact numbers on evacuations were not available, it was indicated that evacuations that have occurred in response to a highway hazmat spill in Jefferson County are less than one per year. However, the higher accident potential in the Spaghetti Junction area affects all vehicles, including hazmat vehicles, and could translate to the higher likelihood of a hazmatrelated accident (about 2.5 times the likelihood on other comparable sections of roadway). To that extent, hazardous materials transportation could be defined as a problem. But the evacuation risk is small. Thus, while the probability of a major hazmat catastrophe is small, the result could be very serious, if one were to occur.

Considering the higher accident potential, together with the high density of population and employment along the I-65 confidor near the central business district, it can be said that there is greater risk to life and property in this corridor than along other corridors in the region. This is particularly true of the high accident section of I-65 from Broadway to the I-64 interchange. This section is adjacent to the region's medical complex, a college, and a high school. While evacuations for highway-related hazmat spills are rare, the high density of daytime population in the CBD and the 24-hour population of the medical complex would severely complicate any evacuation.

Regional Growth and Traffic Volume Forecasts

Exhibits 13 and 14 illustrate both past trends and current projections for population and employment in the Kentuckiana region. The past trends show steadily increasing employment in all counties. However, Jefferson County experienced a general decline in population in the 1980s.

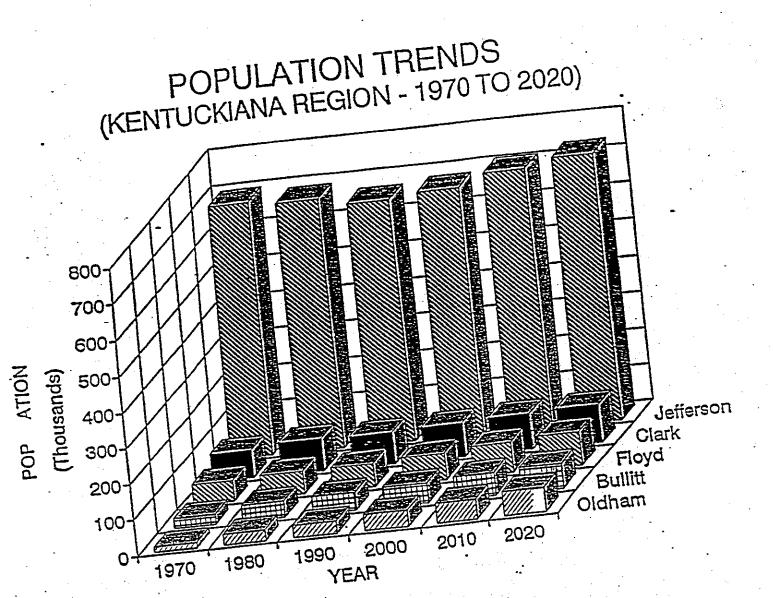
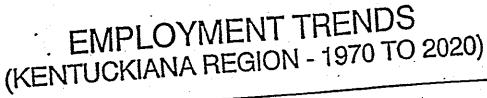


Exhibit 13. Population Trends and Forecasts in the Kentuckiana Region



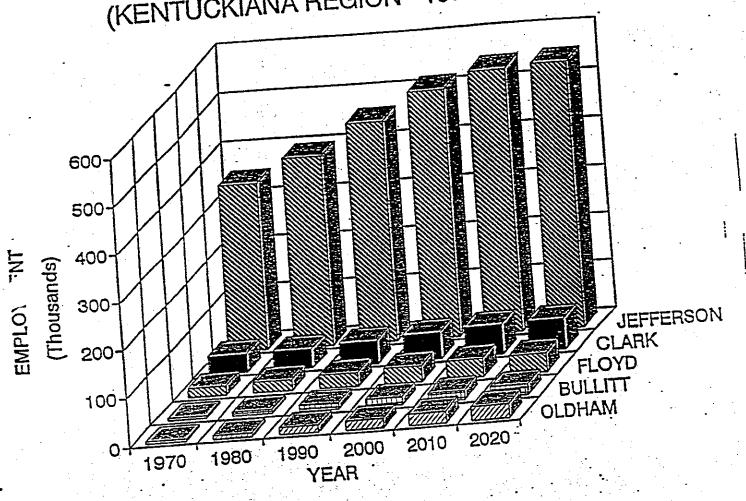


Exhibit 14. Employment Trends and Forecasts in the Kentuckiana Region

Possible explanations for the employment increase concurrently with a population decrease could include changes in the age distribution, increases in the number of workers per household, changes in household size, and out-migration of some of the population from the County during that period. Available statistics on employment growth between 1990 and 1990 county during that period. Available statistics on employment growth between 1990 and 1990 indicate that non-manufacturing jobs in the region grew by 27 percent during that period, while indicate that non-manufacturing jobs in the region grew by 27 percent during that period, while indicate that non-manufacturing jobs declined by 12 percent. Exhibit 15 illustrates the trends in Jefferson County of employment by sector. It particularly illustrates the decline in manufacturing and increase in services industries over the last 25 years. Exhibit 16 shows changes in employment between 1980 and 1990 in Jefferson County geographically. The darkest shading shows the areas with the highest increases in the number of employees.

The Greater Louisville Forecast of Jobs, Population and Income projects a decline of 18,000. manufacturing jobs between 1995 and 2020, but an increase in nonmanufacturing jobs of 135,000. All of the region's counties are likely to share considerably in this growth. Jefferson County is projected to gain the largest number of new nonmanufacturing jobs (88,000) but have the smallest percentage growth (21%). Oldham County is projected to gain the most in percentage terms (84%), adding 12,000 nonmanufacturing jobs between 1995 and 2020.

Traffic volume forecasts are being prepared for year 2020 by KIPDA staff. The forecasts are being based on the projections of socioeconomic data shown in Exhibits 13 and 14. Currently, the county by county demographics are being allocated to individual traffic analysis zones so that they can be used as the basis for the projections.

Although the new traffic forecasts are not yet available, the results can be partially anticipated by examining previous traffic volume forecasts and comparing them to the changes in socioeconomic projections from the forecasts that are being used in the travel demand model. The latest population forecasts for 2020 for the KIPDA transportation planning area (Counties of Bullitt, Clark, Floyd, Jefferson, and Oldham) show an 18 percent higher population than was used in the most recent long range transportation plan analysis for 2010. The baseline forecast used in the most recent long range transportation plan analysis for 2010. The baseline forecast for the Kennedy Bridge showed approximately 116,000 vehicles per day, approximately 10,000 more than existed in 1993. This represented a 36,000 trip increase over the 1985 than the prior forecast, perhaps in the range of 20 percent higher. However, the improved than the prior forecast, perhaps in the range of 20 percent higher. However, the improved modeling process may have other relationships (such as the distribution of future job and housing growth) that could affect this value.

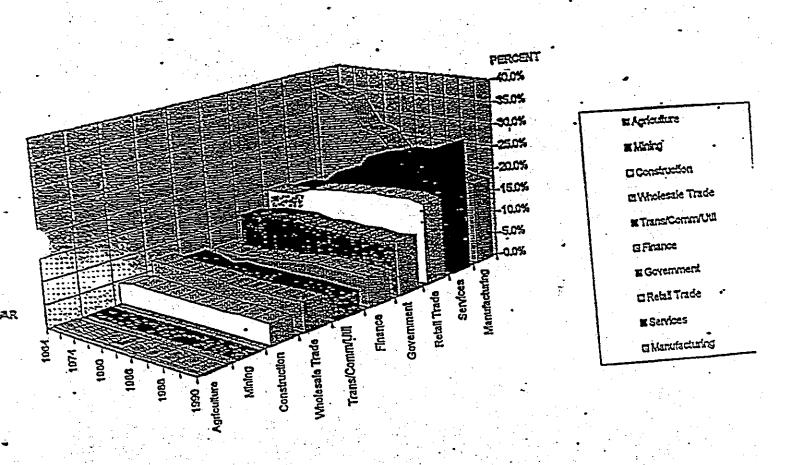


Exhibit 15. Percent of Total Jefferson County Employment by Major Category (Sector), 1964 to 1990 (Source: Jefferson County).

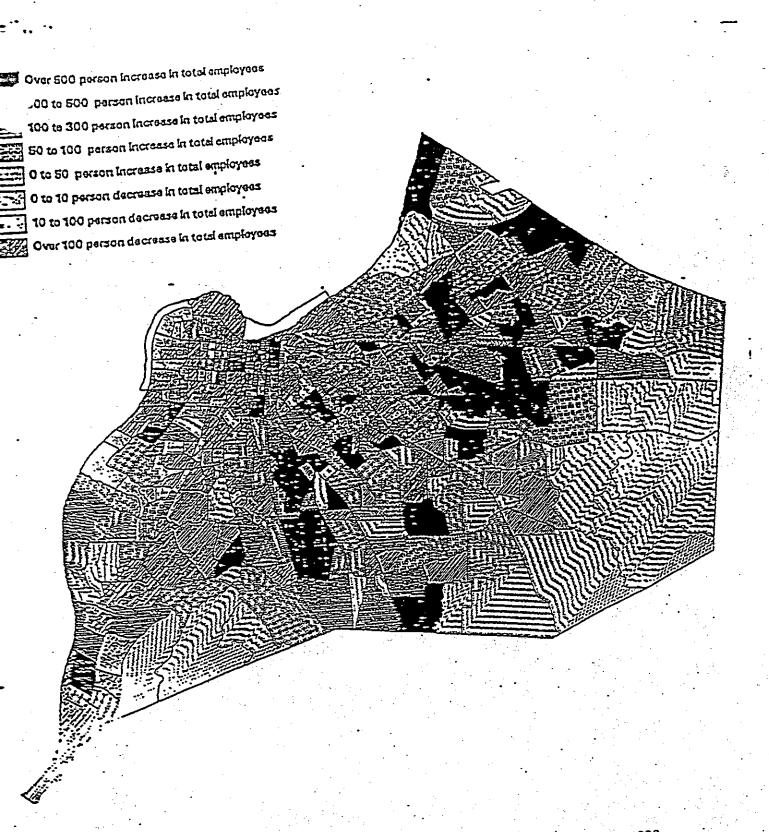
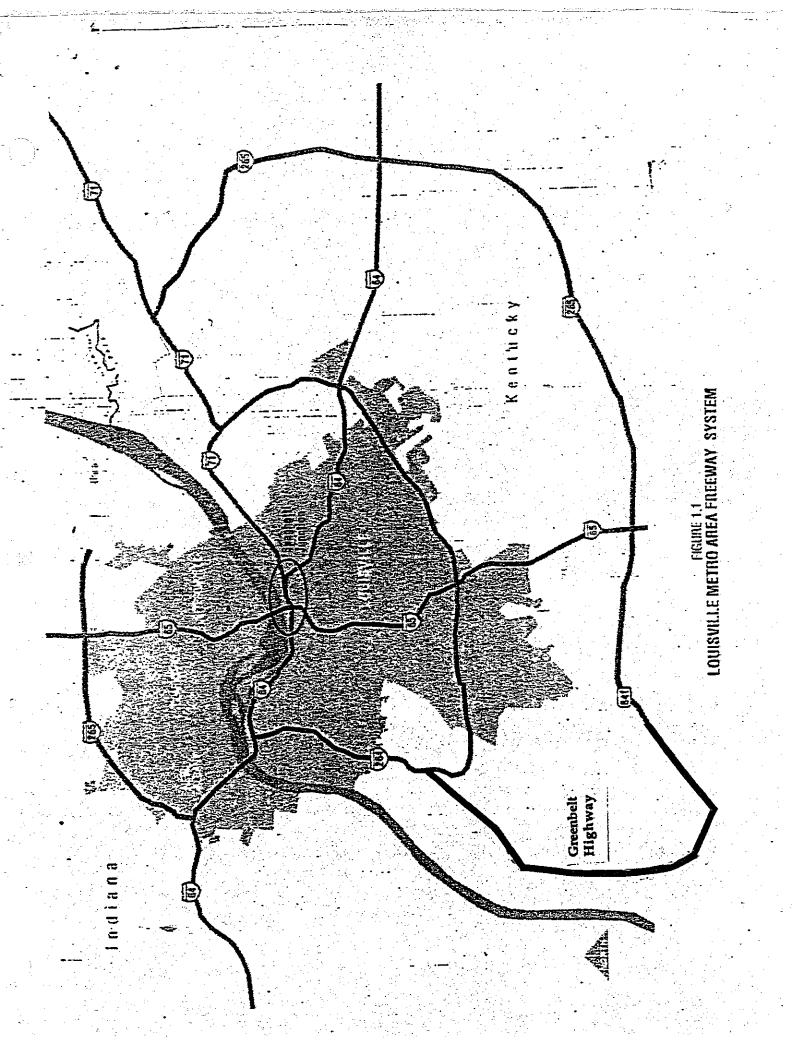


Exhibit 16. Change in Total Employment by Zone in Jefferson County, 1980 to 1990



LOCAL COMMUNITY FOCUS GROUP MEETINGS START-UP Cept 26, 1998 MONTHS 1 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 REGIONAL FOCUS GROUPS MEETINGS DRAFT AND / OR FINAL REPORTS DOCAL COMMUNITY BRIEFINGS SPECIAL REPORTS Public Hearting CITZENS ADVISORY COMMITTEE WORKSHOP INTERAGENCY COCROINATION MEETINGS CITIZENS ADVISORY COMMITTEEMEETING PUBLIC MEETING PUBLIC HEARING Work with Local Focus Groups to Define and Ruffer Local Design Solutions Cather and Develop Form Calanta Advisory Commutee / Mold Meetings Form Regional and Local Foreus Groups / Mold Meeting: Use Local Foreus Groups to Reitne Local Schitteres Brief Local Communities on Project Coordinate with the Media Use Regional Focus Groups to Solve Regional Issue repare Final Preliminary Engineering Report Complete Orall Predenierary Enganesiony Report Interapency Coordination Meetings PUBLIC INVOLVENENT REVALIDATION AND REYTEW OF ORMIS STUDY DESIGN TERS NO-BUILD AND BUILD SOLUTIONS

COMMUNITY TRANSPORTATION SOLUTIONS

SCHEMATIC PROJECT SCHEDULE



Olio River Bridges

November 10,1999

Jesse Story, Administrator Kentucky Division Office FHWA 330 W. Broadway Frankfort, KY 40601

Dear Mr. Story,

Enclosed is a letter to the members of the Regional Advisory Committee of the Kentucky - Indiana Bridges EIS from myself and another member. Please enter it into the record, along with this letter, as a statement of our concerns about the validity and compliance of this process.

We hope FHWA will take an active role in insuring that this EIS will comply with NEPA and Clean Air Act guidelines.

Sincerely,

David Coyte

Knob and Valley Audubon Society

1808 Ekin Avenue

New Albany, IN 47150

PH 812-944-6947

FX 502-589-1812

To the Bridges Regional Advisory Committee Members

November 8, 1999

Dear Fellow Members,

We are concerned about the integrity of the Bridges study – in terms of both the law and the needs of our community.

In regions that are non-compliant for air quality the law mandates that all realistic options to increasing road capacity be given priority consideration. The Bridges EIS has not complied with that directive and has demonstrated extreme bias for highway expansion. At our last meeting we were given 17 maps of different bridge alignments from which to choose — none of which had a multi-modal component. The consultant has been asked that an equal amount of time be spent on analysis of all transit options. Maps of existing rail right-of- ways, analysis of existing bridges, and comparative analysis of the costs and impacts of these options — especially long-term maintenance costs — are critical to intelligent analysis.

The materials and topics we have been presented with to date are definitely biased toward highway expansion alternatives without considering these other issues. Even the "Alternatives Workshop" in October focused on highway based solutions and demonstrated that the consultant has done no work to evaluate transit alternatives.

That the Bridges Study has advanced so far without a Purpose and Needs Statement is detrimental to good decision making. Are we to give priority to improving our air quality, meeting the needs of our growing transit dependent population, protecting the economic health of our core communities, or moving more truck traffic through downtown? Without determining our needs we cannot choose the appropriate investments.

As a committee we need to discuss ideas rather than listen to long presentations which serve to close off discussion rather than encourage it. Intentional or not, the current structure has co-opted the process and pre-determines the results.

We hope you will join in requesting an equitable analysis of alternatives and clarifying discussion of what we hope to achieve with this investment.

Sincerely,

Karen Kartholl, Representative

CART

David Coyte, Representative

Knob and Valley Audubon Society

1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900x381 FAX: (314)539-3755

16591.1/604 OHR February 18, 2000

Mr. Jesse Story Division Administrator Federal Highway Administration-Kentucky Division 330 W. Broadway Frankfort, KY 40602

Subj: PROPOSED LOUISVILLE-SO. INDIANA BRIDGES PROJECT, MILE 604 OHIO RIVER

Dear Mr. Story:

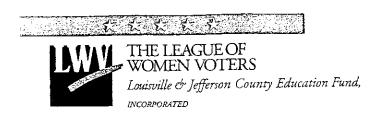
We have reviewed the revised draft Purpose and Need document dated February 11, 2000. In as much the Coast Guard represents navigation interests on the navigable waterways of the United States we do not have any comments relating to the surface transportation needs as described in the document. However since surface transportation needs require additional Ohio River crossings we will review the studies of bridge locations for impacts on navigation. New bridges require processing bridge permit applications to the Coast Guard for review and approval. Our primary objective in approving a permit is to assure that a bridge provides for the safe and reasonable needs of navigation.

We appreciate this opportunity to continue our involvement in the early coordination of this project. The Coast Guard looks forward to contribute to the project's development in its role as a cooperating agency.

Sincerely,

Bridge Administrator

By direction of the Commander



10 May 2000

CTS Consultants Louisville, KY

Gentlemen:

The League of Women Voters would like to request a public meeting for discussion of the Purpose and Needs Statement for this triple project - We find the current statement does not convince us of the need for two additional bridges as well as a fix for spaghetti junction.

We would like to ask why there appears to be no plan for any mass transit. How was it decided that a very small percentage of the thousands of daily commuters would use the bridge?

If there is indeed no way to improve spaghetti junction without two additional lanes across the Ohio, how soon can this be accomplished? These ramp designs are not up to Federal Highway standards, and present an urgent safety issue.

If the choice is to build two bridges, can we really afford this or will quality suffer in order to have quantity?

Sincerely,

Joan S. Lindop

League Representative to Advisory Council

Please enter these questions and concerns into the public record.

115 South Ewing Avenue * Louisville, KY 40206-2594 phone: 502.895.5218 * fax: 502.895.5206 www.lwvus.org * e-mail: lwv@win.net



Kentucky Waterways Alliance

854 Horton Lane, Munfordville, KY 42765-8135 270-524-1774 Judy@KWAlliance.org

5/11/00

Mr. John Clements Community Transportation Solutions Inc. 10000 Shelbyville Rd, Suite 110 Louisville, KY. 40223 May 8, 2000

RE: Purpose and Needs document, Ohio River Bridges Project EIS

Dear Sir:

The Kentucky Waterways Alliance (KWA) is a state-wide, non profit organization whose mission is to protect and restore Kentucky's waterways and their watersheds by building an effective alliance for their stewardship. KWA is dedicated to strengthening community and government stewardship for the restoration and preservation of Kentucky's water resources. We offer the following comments for your consideration in preparing a revised draft Purpose and Needs document for future review in developing the Ohio River Bridges Project Environmental Impact Statement.

KWA does not believe this document is sufficient to define the projects Environmental Impacts. In the 29 pages of the Purpose and Needs document, only one paragraph is devoted to Environmental Impacts. The requirements of The Council On Environmental Quality NEPA regulations (Section 1502.4) state that subjects be properly defined and that issues be in a form that can be meaningfully evaluated.

The paragraph entitled Environmental Impacts on page 6, fails to clearly state or properly define the environmental impacts. Furthermore, it fails to provide the information necessary for a meaningful evaluation.

By incorporating other factors such as: cultural resources, historic properties, community disruption and public park land in the Environmental Impact section, clear definition is not possible. Further, the environmental factors that are to be evaluated are not even defined. Nor are the other terms "cultural resources" as well as "community disruption" defined. All factors that will be evaluated should be defined and each deserves consideration, but to limit environmental impacts to these factors is simply unacceptable if that is the purpose for this section.

In addition, we feel that a complete evaluation is not possible without an individual and specific evaluation of both downtown and Eastern Jefferson and Clark Counties. We believe that each individual area is defined by specific problems that need to be addressed before bundling them

for potential solutions. Bundling of these areas at this time, without the individual specific information, places a roadblock in the way of a clear path to acceptable alternatives.

Finally, the draft states (pg.6, p.2) that there are three key factors contributing to resolving the areas cross-river transportation needs: roadway operations, project timing and geography and environmental impacts. We feel that the draft over emphasizes the first two and does not sufficiently address the environmental impacts.

We appreciate the opportunity to comment on this draft Purpose and Needs document. Please place us on your public mailing list for further information as the EIS is prepared.

Sincerely,

Judith D. Petersen

Executive Director

ROARD OF TRUSTEES
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PLANNING & INSUES MANAGER

DIVID F. Freda, ASLA

River Fields. In ... 543 West Main Street. Suite 200, Louisville, Ky. 40202-2921 . (502) 583-3060 . Fax (502) 583-3285 . E-mult rivertitio and Louisville.

MARCH 14, 2000

Mr. John Ballentyne
Project Management Engineer
Kentucky Division Office
Federal Highway Administration
330 West Broadway
Frankfort Kentucky 40601

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED

RE:

River Fields, Inc.'s Comments to the February 11, 2000 Draft Purpose and Need Statement for the Ohio River Bridge Crossings at Louisville (Your Item No. 5-118.00)

Dear John:

Thank you for meeting with us on March 3, 2000. We appreciate that opportunity to share information with you and express our concerns about the ongoing NEPA process, especially as it relates to the Purpose and Need Statement for this project. As you know, the public was given the first draft of the Purpose and Need Statement last August, at the same time it was given to the federal agencies. River Fields provided extensive comments to that draft on November 16, 1999. In subsequent meetings with the consultant preparing the Environmental Impact Statement, we were told that the Purpose and Need Statement was being edited and that the new draft would be circulated for comment.

Our initial review of the revised draft raises five significant concerns we feel must be brought to the attention of the relevant federal agencies before they sign off on the Purpose and Need Statement. We are writing to express our serious concern with the following substantive issues in the new draft. These issues are as follows:

- 1) There is an inappropriate narrowing of alternatives available as a solution for the needs elefined in the project due to a new emphasis on a purported "interrelationship" between the two bridges;
- 2) There is a priority placed on system improvement over improvement of safety problems and traffic congestion;
- 3) There is no reference at all to the regional need for the replacement and rebuilding of aging in-frastructure before construction of new infrastructure;

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Mr. John Ballanyne March 14, 200) Page 2

- 4) The document seems to ignore serious alternatives based on non-highway improvaments, except for hiking and walking, and
- 5) The draft contains what may be new data as to which analysis is currently impossible but which is used as demonstrating need for the project.

PROCEDURE AND PUBLIC PROCESS

Unfort mately, our ability to comment on these problems in greater depth has been limited by your failure to make this draft available to the public. Contrary to what we had previously uncerstood, you advised us at our meeting with you on March 3, 2000 that other federal agencies have insisted that there be no further public comment until you circulate the draft to them and obtain agency consensus on it. We also understand that although you plan to accept public comments after you achieve agency consensus, you do not plan to circulate those comments to their federal agencies or to modify the draft further until you have completed work on the entire Lital Environmental Impact Statement. We believe that this is a grave mistake which threaters the entire project.

As we explained, in order for the process to be the truly open one that was promised by the FHWA in the early public meetings, you must provide the public an opportunity for significant input at every critical stage. By not allowing the public to comment on the second draft of the Purpose and Need Statement until after the federal agencies reach a consensus on the draft, you have precluded the public from having any further input into what will become the guiding docur tent for the entire EIS determination. We believe that by shutting the public out of this important phase of the process, you have not only failed to fulfill your initial promise of an exemplary open process, but you have also disregarded the directive of the governing NEPA regulations that requires "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action." 40 CFR §1501.7

The "significant issues" relating to the proposed action must necessarily be connected to the purpose and need for the project. The public generally and River Fields in particular can certainly assist in identifying significant issues. As the oldest river conservation organization in the area, and indeed one of the oldest in the United States, River Fields has devoted itself to the often-daunting task of sifting through the information offered in support of the bridges now under consideration to determine what is truth, based on supportable facts, and what is fiction, based on opinion and speculation alone. Unlike any other public group, River Fields has spent substantial sums of its own money to have studies performed by one of the most highly regarded

Mr. John Ballaniyne March 14, 200) Page 3

traffic experts in the country, Cambridge Systematics, Inc. It is very difficult to imagine which of the federal agencies objected to the public's involvement or to ours.

We would have liked to have had the opportunity to make a rigorous review of the second draft prior to its acceptance by all the involved federal agencies to determine whether or not the revised rationale for two bridges withstands serious scrutiny. Unfortunately, we have been denied that opportunity since both the consultant and now you have refused to provide us with the draft rou have circulated to federal agencies for comment. However, albeit at this late date we have 1 ow received the draft through the good graces of some of those who were given access to it, have been able to read it, and understand the general nature of the changes that have been made to the statement. Accordingly, we offer the following unsolicited comments and ask that they be made a part of the official record. We are also providing our comments to everyone who has been usked to comment officially.

NARROWING OF ALTERNATIVES

The mignitude of the differences between the first and second drafts of the statement is truly astounding. In fact, the differences are so substantial, that what has been created is in effect an entirely new document on which the public has not been offered a chance to comment. Even with the short time we have, River Fields must comment on the change of focus evidenced by the second draft because the effect of these changes is to completely undermine the recognized role of the Purpose and Need Statement as set forth in the FHWA's own guidelines.

By basing the needs analysis on the premise that the downtown project and the suburban project are "interrelated," the revised statement has ensured a flawed process as well as a flawed result. The two projects are not "interrelated" in the sense that the problems related to one can only be solved by pursuing the other project. In fact, quite to the contrary, the reliable data to date unequivocally demonstrates that the paramount problems of safety and congestion can be solved by a downtown bridge without any need for an east-end bridge.

Moreover, by emphasizing the purported "interrelationship" of the two possible bridges, the revised draft precludes meaningful consideration of the one-bridge no-action alternatives. Indeed, in the revised draft no data and no structure are ever presented for the assessment of a one-bridge no-action scenario. Without such data, or proposed single project/no build review, it will simply be impossible to meet the purpose and need as stated in the draft statement with anything othe than a two-bridge alternative. River Fields believes that the effect of these problems with the draft statement is to undermine the recognized role of the Purpose and Need Statement as i.e. forth in the FHWA 's own guidelines.

Mr. John Ballanyne March 14, 2000 Page 4

In a 19 10 Guidance Memorandum (entitled "The Importance of Purpose and Need' in Environmental Documents") the FHWA characterized the Purpose and Need section of an EIS as "in many way: the most important chapter of an environmental impact statement (EIS)." The memorandum maphasized that "the project purpose and need drives the process for alternatives consideration, in-depth analysis, and ultimate selection." It further states that a goal of a Purpose and Need Statement is to justify why a particular project should be given priority over other needed highway projects and why its impact on the environment is acceptable based on the importance of the project. It also explains that "the purpose and need define what can be reasonable, precent, and practicable alternatives." The memorandum also appropriately emphasizes the need to develop all relevant factors as fully as possible and to support it with "as specific data as possible to compare the present, future no-build, and future build components." See http://www.fhwa.gov/environment/need.htm.

Similarly, in a separate guidance paper, the FHWA has also explained that for NEPA "need" concer is identifying the problem, and "purpose" is "an intention to solve the problem." (See "Guidance Papers to Facilitate the Implementation of the Memorandum of Understanding for the NEPA and Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada", at http://mentat.fhwa.dot.gov/cadiv/pre/guide.htm.) Thus the Purpose and I sed Statement serves "as the basis for establishing the range of alternatives ... to be considered during the transportation planning process." However, this FHWA guidance further explains that "it is important to guard against premature specificity such that the range of alternatives or nsidered becomes artificially limited."

Based on a necessarily cursory review of the second draft of the Purpose and Need Statement, River Fields is extremely concerned that the current version of the statement is in serious conflict with the guidance provided by the FHWA as summarized above and with other well-recognized federal policies. First, the second draft appears to have been revised so as to narrow the range of acceptable alternatives, focusing exclusively on an inextricably intertwined two-bridge solution. This is demonstrated by the inclusion of the section on page 6 of the draft entitled "Interrelationships." That section begins with the statement that "[t]he potential solutions to closs-river transportation need in both the downtown and eastern portions of the Metropolitan Area are connected." It continues to state that the solution of one set of needs "likely will affect" the solution to the other needs, and concludes, therefore that the operational and environmental impacts should be "analyzed together." These statements are vague and unsubstantiated; the same could be said for most, if not all, interstate projects in the region.

Mr. John Ballen yne March 14, 200) Page 5

Similarly, in the section on page 6 entitled "Roadway Operations", the draft statement concludes that "It pless potential operational relationships require that alternative solutions for each area be analyzed while considering alternative solutions in the other area." Likewise, in the "Project Timir g and Geography" section and in the "Environmental Impacts" section, the statement emphasizes that potential solutions must be analyzed together. The latter section concludes with the observation that examining solutions for both the downtown cross-river transportation needs and the eastern Jefferson County and Clark County cross-river transportation needs in one EIS "will provide a common basis for evaluating their combined environmental consequences and any potential trade-offs." (Emphasis added.)

This presentation is a complete departure from the earlier draft which, at least to some degree, identified the cross-river transportation problems with emphasis on solving safety and congestion problems. That approach implicitly recognized that there would be a range of alternatives that could satisfy the Purpose and Need Statement that would necessarily include the one-bridge no action alternatives. From the beginning of this process, the representatives of the lead agency have represented to the public that three no-action alternatives would be considered: no bridge at all, only a downtown bridge and rebuild of the Kennedy Interchange, and only an east-end bridg 2. The revised draft Purpose and Need Statement appears to be purposefully designed to preclude meaningful consideration of the latter two no-build alternatives. Such a narrowing of the purpose and need is precisely the improper construction of the Purpose and Need Stateme it that was cautioned against by the FHWA guidance memoranda discussed above when it was noted that "it is important to guard against premature specificity such that the range of alternatives considered becomes artificially limited." Thus, again, in disregard of the guidance, there is no recognition in this document that one need may have priority over another need. Therefore, when alternatives are considered, the only alternative likely to satisfy the Purpose and I seed Statement as now drafted will be a two-bridge alternative.

Additionally, the cited data in the revised draft indicates a predetermination that only a two-bridge alternative will be actually considered. Again, the FHWA guidance memorandum properly emphasized that one reason the Purpose and Need Statement is of particular importance in the EIS process is that it is the document where all relevant elements should be fully developed and supported by "as specific data as possible to compare the present, future no-build, and future build conditions." The revised draft does not make even a cursory attempt to include the appropriate and relevant data about either one-bridge no-action alternative. Rather, it presents supporting data for only one no-action scenario, i.e. the no bridge scenario. This does not allow for agency and public analysis of the individual highway projects.

Mr. John Ballar time March 14, 2000 Page 6

NEW DATA

Finally, the draft contains substantial amounts of new data that were not included in the first draft. While River Fields has felt compelled to comment on these fundamental issues at this time even thou it it has not been offered this opportunity as a part of the formal record development process, it reserves the right to comment in more detail on other facets of the revised draft, including the new supporting data once it has a full opportunity to review this material. At this late date, River Fields is simply unable to comment at all on the new data because it has had no time to review and digest it. Since River Fields prides itself on basing its positions on facts, it is unfortunate that you did not share this data with us.

I hope that in spite of your position that we may not comment until after federal agency consensus has men reached, you and other federal agencies involved in this project will give these comments careful consideration. It is not too late for this to be the kind of exemplary project FHWA promised our community when this process began.

Very truly yours,

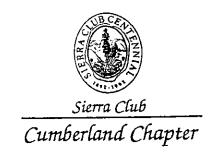
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neme Sweets Roney

Executive Director

MSR:rwg

cc: Attach at



P.O. Box 40347 Midway, Ky. 40347 May 10, 2000

Mr. John Clements Community Transportation Solutions, Inc. 10000 Shelbyville Road, Suite 110 Louisville, Kentucky 40223

Dear Mr. Clements:

I am submitting these comments and questions on behalf of the Cumberland (Kentucky) Chapter of Sierra Club, a national environmental organization with more than one=third of its statewide membership residing in the Jefferson County area.

Due to the fact that the eight alternative routes under consideration for one or more bridges across the Ohio River were only released to the general public today, we are unable to ask specific questions pertaining to those options. However, we do have a number of questions concerning the project. I hope that CTS plans to provide a written "Statement of Consideration" since there will be little opportunity this evening to respond to the issues raised below.

- 1. The draft purpose and needs statement currently being circulated among a small group of participants (dated February 11, 2000) has changed significantly from the original draft. The current version of that statement recognizes that traffic flow and safety are serious transportation issues facing downtown Louisville that need to be remedied, but there is no clear purpose or need given for also constructing a suburban bridge. Since the community has been promised an opportunity for "proactive public involvement" in the decisionmaking process, would CTS be willing to hold public discussions concerning the Purpose & Needs Statement?
- 2. The eight remaining "alternatives" published in this morning's newspaper do not include any proposals for light rail solutions. It is unreasonable for any balanced transportation plan that claims to anticipate traffic patterns in the year 2025 to omit all consideration of mass transit options. Rebuilding urban areas around public transportation hubs is the most effective means of reducing traffic congestion and air pollution problems and it should not be excluded without further study. Who made that decision? Why?

- 3. The curve and ramp designs at 'Spaghetti Junction' are not up to current federal highway standards and accident rates there are far too high. A rebuild of that interchange should be a top priority. How soon can that rebuild reasonably take place?
- 4. According to a 1994 study conducted by the Kentucky Transportation Cabinet, no improvements can be made to Spaghetti Junction without adding lanes across the Ohio adjacent to the Kennedy Bridge. How soon can work begin on a downtown bridge?
- 5. Since traffic studies show that the majority of traffic across the Ohio River consists of Indiana commuters traveling to and from work along the I-65 corridor and it has been acknowledged that Spaghetti Junction can be rebuilt and a new downtown bridge constructed without building a suburban bridge to handle traffic, what transportation problem would be solved by building an east end bridge?
- 6. In a decade when Jefferson County's public officials and policymakers are pouring millions of dollars into downtown revitalization and waterfront development efforts, is there any economic-based reason for building a suburban bridge in the east end? Will CTS, the work groups and the advisory council consider the consequences of drawing more resources away from the core urban area? Will they consider the detrimental impact of an east end bridge with respect to the problem of suburban sprawl? Will that analysis take into account the cost of all the economic inefficiencies and infrastructure redundancies that will occur?
- 7. Under President Clinton's Executive Order 12898, federal agencies are required to achieve environmental justice by identifying and addressing disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects, of their projects on minority and low-income populations. The policy of the Federal Highway Administration states that it will consider alternatives and propose measures to avoid, minimize and/or mitigate disproportionately high impacts in order to comply with this executive order. It is clear that the two bridge proposal is destined to draw economic opportunity away from the core downtown area, away from the minority and low income populations in Louisville's west end. How does the agency intend to avoid this disproportionate impact?

Thank you for the opportunity to present some of Sierra Club's concerns. Please include my letter in the administrative record.

Yours truly, Betuy Bereit

Betsy Bennett

Chapter Conservation Chair





Environmental Impact Statement Preliminary Design

MEMORANDUM TO:

AGENCY PARTICIPANTS

FROM:

Jere Hinkle; Dan Lutenegger; Ron Deverman,

Community Transportation Solutions (CTS)

DATE:

April 24, 2001 (revised May 30, 2001)

SUBJECT:

Agency Coordination Meeting Summary: Indirect and Cumulative

Effects Analysis

On April 19, 2001, the Louisville-Southern Indiana Ohio River Bridges Project team met with about 30 representatives of local, state and federal agencies to discuss the Indirect and Cumulative Effects Analysis (ICEA) being conducted for the project. The purpose of the meeting was to receive agency input on the potential resources that might be affected, geographic boundaries and time frames for the analysis, other major actions in the region, and possible mitigation strategies if impacts are identified. The meeting was also held to discuss and answer any questions the participants had regarding the ICEA methodology. The following paragraphs summarize the agency coordination meeting. Table 1 summarizes the results of the meeting.

Attendees:

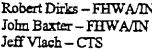
Pete Wolff - KYTC Ron Deverman - CTS Jim Braun - CTS Randy Simon - KIPDA Jere Hinkle - CTS John Mettille - KYTC Mike MacMullen – EPA Peggy Measel - CTS Marty Barbour - KDFWR Janice Osadczuk – INDOT Lisa Hite - Louisville Development Authority Mike Litwin - USFWS/ IN Robert Farley - FHWA/KY Virginia Laszewski- US EPA Cynthia Lee - APCD

John Ballantyne - FHWA/KY

Olivia Michael - FHWA/KY

Pat Mulligan - Clark Maritime Center

Dan Lutenegger – CTS Jayne Fiegel - Kentucky Heritage Council John L. Carr – Indiana DNR Bill Carwile - CTS Steve Cecil - INDOT Bob Wheeler - FHWA/DC Tom Pinto - APCD/Jefferson County Charlene Wylie - CTS Phyllis Fitzgerald - APCD Timothy Merritt - USFWS/KY Lee Arme Devine - Corps of Engineers (Louisville) Ramona McConney - US EPA Region 4 Alan Ritchie - FHWA/KY Ruth Rentch - FHWA/DC Robert Dirks - FHWA/IN



Leslie Barras - River Fields





Mr. Bob Wheeler, FHWA – Washington DC, facilitated the meeting throughout the day. After introductions, Bob Wheeler emphasized the purpose of the coordination meeting: to obtain input on potential resources affected, geographic limits and time frames, major actions affecting resources, analysis methods and mitigation opportunities.

Ron Deverman of CTS presented an overview of the legal and regulatory basis for indirect and cumulative effects. He defined cumulative and indirect effects and described the Indirect and Cumulative Effects Analysis (ICEA) 7-step process proposed for the Ohio River Bridges EIS. The use of the term "secondary impacts" was briefly discussed. It was agreed that the CEQ terminology of direct impacts, indirect impacts and cumulative effects encompassed all impact types that were likely to be encountered. In other words, secondary impacts and indirect impacts were essentially synonymous. The term "indirect impacts" will be used in the ICEA as well as in future coordination and correspondence.

Jim Braun of CTS then presented an overview of regional land use trends that may have a direct bearing on indirect impacts and cumulative effects. It was noted that actions examined under cumulative effects include both governmental (e.g. Ohio River Bridges Project) and private actions (e.g., residential development).

POTENTIAL RESOURCES AFFECTED

Bob Wheeler of FHWA then facilitated the group's review of items III through VIII on the meeting agenda (see attached agenda). First, the participants reviewed the April 2001 Draft List of Potential Resources Affected. They had the following comments and questions regarding land use/community resources (including parklands); historic and cultural resources; and ecological resources.

Comments/Questions on the Land Use/ Community Resources

- Clarksville should be added to the list of cities/communities.
- Neighborhoods are resources. Community resources should be broken down to the neighborhood level.
- A category for railroads should be added to the list.
- Adopted comprehensive land use plans reflect the desired future development patterns for the region and should become the standard for considering community impact evaluations.
- The question was asked how the cumulative effects of the Ohio River Bridges Project would be separated from the cumulative effects of development? The response was that separate land use forecasts have been made for each of the build alternatives and the no-build alternative. The Draft EIS will then provide a thorough analysis of the

- no-build alternative and compare the build/no-build land use forecasts and resulting impacts.
- Development scenarios must be logical and consistent with forecasted growth.
- Development scenarios must be consistent with the goals of the Cornerstone 2020 plan, which advocates compact land use.
- The resource list should include Charlestown State Park and Clark State Forest.
- Indiana Army Ammunition Plant will be transferring some land to nature preserve status.
- Indiana DNR has a nature preserve that is not on the list.
- The Fredrick Law Olmstead Park system in Louisville is both a park resource and an historic resource due to its status on the National Register of Historic Places.
 - The resource list should include Eva Bardman and Beargrass Creek Parks.
- What is the status of conservation easements as community resources under federal protection? The attendees agreed that conservation resources are important to the quality of life and character of an area. Sometimes there is federal investment in such easements. At other times they are privately owned and financed. Source of funds and accessibility to the public are important criteria affecting the status of such properties under Section 4 (f) of the Department of Transportation Act of 1966.

Comments/Questions on Historic and Cultural Resources

- Local historic districts and properties may be different than the listing maintained by the Kentucky Heritage Preservation Council. The resource list should be expanded to include local districts and properties.
- The City of Louisville has its own Historic Preservation Officer (Joanne Weeter). The project team should contact Joanne for input on local cultural resources.
- There is tribal interest in Ohio River Bridges Project, but no known tribal lands are affected.

Comments/Ouestions on Ecological Resources

- The question was what baseline information exists on wetland resources? The response was that there isn't much available information regionally. For example, the Clark County inventory prepared by Indiana DNR is 13 years old.
- The baseline for cumulative wetland impacts is critical. There is a need to determine whether the region has a large wetland base or whether the base is small, (e.g., the last

2 or 3 percent of wetlands remaining in the study area). The emphasis on wetland mitigation becomes increasingly important as the area of wetlands is reduced. (U.S. EPA)

- Metropolitan Sewer District has done much of the existing watershed planning for Louisville. A coalition of agencies is also involved with watersheds. The contact for this coalition is Keith Crim of the Kentucky Transportation Cabinet.
- Cumulative loss of wetlands is a big concern for the U.S. Army Corps of Engineers. They will want to know how it will be addressed.
- The participants discussed possible ways of getting an accurate assessment of historic wetland loss. One source is land survey records which contain descriptions of presettlement wetlands in some areas.
- The U.S. EPA will be looking for innovation in wetland replacement and restoration. The Ohio River Bridges Project can be a catalyst for partnering opportunities, particularly on mitigation issues. Through a collaborative effort, the agencies should identify prior activities that benefit wetlands and water quality in the watershed.
- The question was, is there a budget for wetland loss similar to air and water quality (equivalent to TMDL or Total Maximum Daily Load) where impacts are allowed up to a certain point? The response was that there is no standard of maximum wetland loss like the National Ambient Air Quality Standards (NAAOS or TMDL's).
- There is an issue of numerous small wetlands being lost due to economic development. The agency would want to know what the role of infrastructure is in inducing such economic development and growth (U.S. EPA).
- Wetland loss is seen in the context of the entire watershed, the sum of direct, indirect
 and cumulative impacts (both direct and indirect) on functions and values (U.S.
 EPA).
- U.S. Army Corps of Engineers noted that crossings of small intermittent streams and tributaries require Corps of Engineers permits.
- The U.S. EPA noted that the Ohio River is currently a source of drinking water. The new bridges may create the opportunity for hazardous spills that affect surface water. The same is true for groundwater and any aquifers.
- MSD and Department of Natural Resources regulate floodplains in Kentucky.
- State lists of threatened and endangered species for Kentucky and Indiana are more
 extensive than federal lists and important species should be added as resources if they
 are to be affected.

- More subcategories of birds, plants, wildlife, and aquatic life (beyond threatened and endangered) should be added to the resource list. An example is the category of migratory birds.
- More subcategories of habitat (beyond forest/woodlands) should be added to the resource list. An example is karst formation in limestone bedrock. The USFWS noted that discussing habitats as supporting various species is the preferred approach.
- The USFWS noted that the most critical local species on the federal threatened and endangered list is the Indiana bat. Summer habitat continues to decline, specifically trees having a diameter of more than 5 inches at breast height with exfoliating bark.
- Fragmentation of habitat is a concern.

Other Resource Questions/Issues

Air Quality should be added to the list of resources. New air quality standards for ozone and particulates (PM_{2.5}) will raise the air quality concern. (Air Pollution Control District of Jefferson County).

ICEA BOUNDARIES AND TIME FRAMES

Ron Deverman of CTS passed out maps showing a composite study area for the cumulative effects analysis, i.e. a single, logical, preliminary boundary that considers all of the resources affected. The composite study area is based on census tract information, the area of traffic influence, land use, and watersheds. Should ICEA be best performed on one composite area or several different study areas dependent on the resource? Several boundary issues were raised, as summarized below.

Boundary Ouestions/Issues

- The question was what do the land use and socioeconomic projections assume regarding growth? The response was that the Ohio River Bridges corridor was not the only area slated for growth in the region. The ICEA will analyze the impacts to the growth areas adopted by the local jurisdictions in their comprehensive plans.
- Regarding Cornerstone 2020, Form District Concepts reflect the consensus on where growth should occur. ICEA boundaries should encompass all potential growth impacts, both in the corridor and elsewhere.
- New bridges will address the primary need for cross-river mobility, but will the construction of the bridges pull growth from elsewhere? For example, how will the growth occurring in Indiana affect growth in Kentucky and downtown Louisville? The ICEA should evaluate if the proposed project "complements" the land use vision

in addition to improving mobility. It is more than an issue of "consistency" with land use plans. (Louisville Development Authority, KIPDA)

- EPA has no official policy on one ICEA boundary versus many resource-specific boundaries. The composite ICEA boundary was previously accepted in a Maryland EIS, but EPA Region 5 favors resource-specific ICEA boundaries for this project.
- ICEA boundaries for land use—the land uses and comprehensive plans of all five counties will be addressed.
- ICEA boundaries for historic and archaeological resources—The team will coordinate with the State Historic Preservation Officer to identify the Area of Potential Effect (APE). (This is currently being done for the project.) The APE is developed from an understanding of other environmental impacts, such as air quality, noise, and severance of access. This approach is just as appropriate for cumulative impacts as it is for direct and indirect impacts. Thus, the APE is the proper geographic basis for assessing these impacts.
- The ICEA boundaries for ecological resources—the wetlands analysis should go to the fullest limit of development, at least all watersheds in the six-county area where growth is projected based on comprehensive plans. (U.S. Army Corps of Engineers). U.S. EPA noted that a watershed approach is needed to provide context for wetland losses. The Ohio River basin in Kentucky should be analyzed as far back as needed to get good data on the resource base.
- The Draft EIS should distinguish the proposed project's wetland impacts from the wetland impacts attributable to other types of development.
- Wetland habitat is one of the most critical resources. Geographical and temporal boundaries should be extended for the cumulative effects analysis of the resource.
- Natural Resources Conservation Service (NRCS) should be consulted regarding wetland reserves, wetland buffers and sediment control actions. The easements established under the wetland reserve program may affect the choice of alignment in some cases.
- FEMA may also have flood easements affecting where bridge piers can be placed.
- Existing wetland compensation sites (for unrelated projects) are important and also may affect alignment decisions.
- The USFWS noted that the ICEA boundaries for streams and floodplains should also be at the watershed level.
- The question was how do results of the cumulative effects analysis factor into decision-making? It is important to consider this. The response was that the ICEA is

one part of the comprehensive analysis being done for the DEIS. All of the information in the DEIS will factor into project decision-making.

- ICEA boundaries for groundwater supplies—the analysis should consider the limits of the aquifer. The analysis will identify wells in the area and address how project-related and unrelated development will affect groundwater quantity and quality.
- ICEA boundaries for threatened and endangered species—the choice of boundaries will be resource specific.
- ICEA boundaries for air quality—the analysis should consider the existing and any new non-attainment areas that may result from any new rules (e.g. 1-hour ozone, PM_{2.5}) if the new rules take effect before the project Record of Decision.

Time Frame Questions/Issues

The group discussed a handout entitled *Time Frames and Available Information*, which proposed a forecast year of 2025 to determine reasonably foreseeable future time frames. The time frame could be expanded to accommodate cumulative effects that extend farther into the future. Agency input was requested to identify ecological or natural resources for which extended time frames are appropriate.

The handout also presented an extensive list of references that shape the time frame for past activities. These references suggest that available information may extend back in time over 50 years for some subjects (e.g. land use), but other materials date from the past 30 to 35 years.

Agencies were asked to comment on other potential resources that may warrant extending ICEA farther back in time.

One comment suggested that "project life" might be a reasonable foreseeable future time frame for ICEA for some resources. Another comment was that the land use horizon in Cornerstone 2020 was the year 2020, which differs from the horizon for forecasting population, employment and traffic.

EPA asked when "full build-out" would occur. The year 2020 seems too short a period (for build-out), so if we can reasonably forecast to the year 2025 or beyond, then it should be done.

The participants agreed that, as with geographic limits, different time frames might apply to different resources. It is extremely difficult to assess every issue or resource within the same parameters when the types of potential impacts are so varied.

MAJOR ACTIONS AFFECTING RESOURCES

The group reviewed the *Draft List of Other Major Actions Affecting Resources*. Members were requested to add any other major actions appropriate for ICEA. The resultant additions included:

- Energy-related Development Project—a new power plant has been proposed for Oldham County and is included in the county's comprehensive plan. The hydropower plant at the Ohio River locks is being upgraded and expanded.
- Economic Development—Downtown Louisville has a new plan the ICEA should take
 into consideration. In addition, East Main and the Industrial Lands Project are two
 other major activities for downtown Louisville.

ICEA ANALYSIS AND MITIGATION

The participants at the meetings talked briefly about cause and effect relationships that may occur in the ICEA for the major actions and the respective resources those actions may affect. A handout was reviewed. Bob Wheeler then facilitated a discussion about mitigation with the participants. The agency representatives made the following comments.

- The Pond Creek Basin is the location of substantial wetland preservation and restoration activities. The Ohio River Bridges Project ICEA presents an opportunity to gain a regional perspective on resource depletion. (U.S. Army Corps of Engineers)
- The direct project impact for some of the DEIS alternatives is roughly estimated at 20-25 acres of wetland loss. Replacement may involve partnering with many agencies in the development of a state-funded wetland bank. (FHWA)
- Wetland compensation may create an impetus for open space preservation since we have the opportunity to collect data that will allow us to forecast losses and anticipate future replacement requirements. With cooperative efforts, land can be set aside now for future needs. (U.S. EPA)
- U.S. EPA noted that riverine wetlands are relatively rare compared to other types. The project should consider creating this type in its mitigation effort. With regard to wetland mitigation, there may be the possibility of using innovative approaches which benefit all the agencies involved. For example, the lead agency may want to consider jointly funded actions such as wetland banks.
- Buffers to natural areas are important. Mitigation should consider creation of these buffers through zoning or acquisition. Buffers should result in compatible land use between development and wetland mitigation sites.

- Energy-efficient design and operation are mitigation opportunities that should be built into the project.
- 'Fee-system' mitigation is being used elsewhere for stream crossings. (USFWS)

FINAL COMMENTS/QUESTIONS

- An HGM model was completed in 1999 for functions and values analysis in Kentucky. It doesn't just consider habitat (like Habitat Evaluation Procedures, or HEP), but addresses all wetland values.
- The question was what is the effect of mass transit funding on corridors? The response was Ohio River Bridges alternatives will include enhanced bus service, and will not foreclose future light rail improvements across the river.

After closing remarks and thanking the meeting participants, Bob Wheeler encouraged the agency participants to provide the following additional information:

- Additional potential resources affected not identified during the meeting;
- Additional major actions or activities that may contribute to cumulative impacts on resources;
- Additional mitigation opportunities for specific resources not discussed at the meeting;
- Suggestions for the spatial and temporal boundaries for specific resources.

He then adjourned the meeting. This meeting summary, including Table 1, is being sent to all participants that were invited to the agency coordination meeting on ICEA. In addition, the revised Potential resources Affected and Other major Actions lists are attached for additional review and comment. The revised Draft Assessment Methodology for the ICEA is also attached. The revisions to these documents are a result of input received at the agency coordination meeting. If any agency has further comments, questions, or information pertaining to the ICEA, they are encouraged to contact Community Transportation Solutions by correspondence at Ten Thousand Building, Suite 110, 10000 Shelbyville Road, Louisville, KY 40223 or by telephone at (502) 253-9221.

Table 1
Results Summery:
INDIRECT AND CUMULATIVE EFFECTS COORDINATION MEETING
OHIO RIVER BREDGES PROJECT - Nay 2001

Land use / Community Resources					
ClestConnumilles	Land use/Comprehensive Plans for the ext countles; Census tracts and buffic analysis zones	co years	2020	All projects on Other Major Actions Milecting feedures fist plus downsom Louisville development and the comment development	Possible land use and/or zoning controls
Reighborhoods (maketing EJ populations)	Land use Community Plans	Up to SO years	2020	All projects on Other Major Actions liet as noted	Local land use/zontro combrete
Pantands, Preserves, Rec. Areas	Land use, perhe, districts or other land management plan boundaries	30-35 years	3020	Af projects on Other Major Actions list as noted	Possible militation shaleples under Section 4(1) of USDOT
Historic and Cultural Resources					
Historic Districts	Resource specific; Land use/ Comprehensive Plans for the six counties	30-35 years	2025	All projects on Other Major Actions first plus downsown Louiseffe development plus energy development projects.	Resource-specific; Possible militanion strategies under
Specific Historic Situatures Sitis Cultural Resources Sites	Resource-specific	60 Years Minimum historic and prehistoric lime periods as ypropriate	570%	All projects on Other Major Actions list as noied	Section 4(f) of USDOT Act of 1969 and formul Section 106 Consultation under Section 106 of the National Historic Preservation Act.
Ecological Resources					
Wetfancis	Millal area to include wateraheda in ak-counky region	60 years	2015	All projects on Other Major Actions list plus energy Gevelopment projects	Possable mitigation would include replacement of welland ecreego, possibly in the Pond Creek bash or in a wedand utilities bank. Aliagation may also bridude open space preservation, riverthe wellond development, or buffers around seveland areas.
Streams and Palvers	Livited area to finda do watersheds in stx-county region	50 узега	2025	AB projects on Other Major Actions list plus energy development projects	Bidge design, Best Management Practices for stormwater runoff, and other water quality mittga ison measures as approximate.
Floodplakns	Watersheds along Ohlo River and affected streams	30-35 years	2025	All projects on Other Major Actions 15st plus downlown Louisville developments plus one-rgy development projects	Milgation strategies per focal, state and federal floodplains requirements.
Groundwaten/Aquifers	Aquifor Imits	30-35 years	2025	Al projects on Other Major Actions fist plus downlown Louisville developments plus energy devalopment projects	Possible miligation would include adherence to wellhead protection plans, bridge design, spill prevention, containment and countemessures for construction and/or operational entitle.
Brote/Plants/Wildirla/Aquatica/ Tithtalened 8hed Endangerod Species	Reswarce-specific for threatened endangared apordes and ortical habitats, initially for include watersheds in streamly region	Rescuree-specific; Up to 50 years	2025 minimum up to 50 years for specific affected resources	All projects on Other Major Actions list plus energy development projects	Resource-specific mitigation strategies will be developed for particular resources through close coordination with resources and regulstory agencies. For affected threatened and endangered species, mitigation under Section 7 of the Threatened and Endangered Species Act.



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FEB 2 1 2002

cc: John Carr – KYTC Charles Raymer – CTS



Commander Eighth Coast Guard District 1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900 x381 FAX: (314)539-3755

16591.1/604 OHR February 12, 2002

TO

HDA ADA

HPD HPE

ENTA 4-595,

Mr. John Ballantyne Federal Highway Administration-Kentucky Division 330 W. Broadway Frankfort, KY 40601

Subj: PROPOSED LOUISVILLE-SO. INDIANA BRIDGES PROJECT, MIL

OHIO RIVER

Dear Mr. Ballantyne:

We are responding to Mr. Sepulveda's letter of November 6, 2001, which solicits comments on the Draft Environmental Impact Statement (DEIS) for the above referenced project.

In a letter dated November 18, 1999, the Coast Guard identified pier placement and clearances for six Ohio River crossings which would have the least impact on navigation. On pages 3-46 and 3-47 of the DEIS two bridge alignments, A-9 and C-1, were identified to crossings at mile points 596.8 and 603.1, respectively. These two crossings were not among the six approved crossings. The Coast Guard will need to review the crossings at mile point 596.8 and 603.1 for their impact on navigation and to determine required pier placement and navigational clearance.

The subsection termed <u>The Ohio River</u> page 4-12 presented in Section 4.1.2 <u>Existing Social and Economic Setting</u> gives a thumbnail sketch of river commerce and some of its physical characteristics. However, there was no discussion of the impacts to river environment or to navigation due to temporary and long-term effects of construction activities. It appears that a subsection termed <u>The Ohio River</u> could be developed for Section 5.1 <u>ECONOMIC/SOCIAL</u> to discuss this concern.

We appreciate this opportunity to provide Coast Guard input in the development of this DEIS. If you have any question about our requirements, please contact Mr. Dave Studt at the above number, extension 381.

Sincerely,

Bridge Administrator

By direction of the District Commander



Commander (obr)
Eighth Coast Guard District

1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900x381 FAX: (314)539-3755

16591.1/604 OHR April 11, 2002

DECEIVED APR 19 2002

Mr. Jere Hinkle
Deputy Project Manager
Community Transportation Solutions, Inc.
Ten Thousand Building, Suite 110
Shelbyville Road
Louisville, KY 40223

Subj: PROPOSED LOUISVILLE BRIDGES, MILE 604+/-, OHIO RIVER

Dear Mr. Hinkle:

This is a supplement to our letter of November 18, 1999, in which the Coast Guard determined pier placements and navigational clearances for six proposed bridge crossings. In our review of the recent DEIS dated November 2001 we found there were two other crossings at miles 596.8 and 603.1 which were not included in our letter. Channel pier placement is dependent on the specific bridge crossing location.

The required pier placement locations for the two other proposed alternatives are shown below:

	Pier Placement Horizontal Clearance
Mile 596.8	To provide minimum 800 feet navigation span in middle of river 800 feet
603.1	Not acceptable N/A

The Mile 603.1 crossing is a proposed companion bridge upstream to the JFK Bridge. A location downstream of JFK Bridge is preferred. In that case the piers of the companion bridge must be located about 110 feet to the right and left of the existing right and left descending channel piers of the JFK Bridge, respectively. This distance is to insure the view of the existing bridge piers is not obstructed by either the cofferdam and pier construction or the completed piers.

In our previous correspondence we stated general guidance of 900 feet horizontal clearance and vertical clearance of 55 feet above the 2% flowline or 69 feet above normal pool (for avg. June flow), whichever is greater. In the case of a companion bridge within 100 feet of the JFK Bridge the vertical clearance must equal that of the existing bridge of 71 feet above normal pool.

April 11, 2002



The above horizontal clearances and pier locations have been determined for the specific alternatives only. If there is any change to a crossing location, the Coast Guard will need to readdress pier placement and horizontal clearance on a case-by-case basis. If there are any questions, please contact Mr. Dave Studt at the above number.

Sincerely,

ROGER K. WIEBUSC

Bridge Administrator

By direction of the District Commander

Copy: Msrs. John Clements Jim Zei, CTS Mr. John Ballantyne, FHWA-KY Commander Eighth Coast Guard District 1222 Spruce Street St. Louis, MO 63103-2832 Staff Symbol: obr Phone: (314)539-3900x381 FAX: (314)539-3755



16591.1/604 OHR May 9, 2002

Mr. John Ballantyne Federal Highway Administration-Kentucky Division 330 W. Broadway Frankfort, KY 40601

Subj: PROPOPSED LOUISVILLE-SO. INDIANA BRIDGES PROJECT, MILES 604-595 OHIO RIVER

Dear Mr. Ballantyne:

This is concerning the Alignment C-1 addressed in the Draft Environmental Impact Statement dated November 2001. As you are aware Coast Guard determined that this alignment for a new bridge at Ohio River mile 603.1, just upstream of the JFK Bridge, was not acceptable. However, at your request we evaluated our position and with input from navigation determined C-1 would be acceptable provided the following requirements are met:

- 1. The proposed bridge does not block approaching mariners' view of the JFK Bridge.
- 2. The proposed bridge provides a 1,100- foot navigation span with piers set 200 feet outside of the JFK Bridge piers on either side of the channel.
- 3. The computer model at the Center for Maritime Education (CME) of the Seaman's Institute, Paducah, Kentucky will be used to determine pier placement.

To satisfy our requirement with regard to the computer model, FHWA should contact Greg Menke of CME at 270-575-1005 to work out the details for creating the model.

If there are any questions about our requirements, please contact Mr. Dave Studt at (31)539-3900, extension 381.

MAY 1 3 2002

TO
HDA
ADA
HFA
HPD
HPC cc: John Carr - KYTC
Charles Raymer - CTS

Sincerely,

ROGER K. WIEBUSCH

Bridge Administrator

By direction of the District Commander



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United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Succi Cookeville, TN 38501

September 18, 2002

Mr. John Ballantyne Louisville Bridge Coordinator Federal Highway Administration 330 Broadway Frankfort, Kentucky 40601

Re:

FWS #02-2428; FHwA Item # 5-118

Dear Mr. Ballantyne:

Fish and Wildlife Service personnel have reviewed the biological assessment regarding ten federally listed species for the Kentucky portion of the Ohio River Bridge project in Jefferson County, Kentucky, submitted August 6, 2002.

The biological assessment is adequate and supports the conclusion of not likely to adversely affect, with which we concur. In view of this, we believe that the requirements of Section 7 of the Endangered Species Act (Act) have been fulfilled. However, obligations under Section 7 of the Act must be reconsidered if: (1) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered in this biological assessment, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Your interest and initiative to protect endangered and threatened species is greatly appreciated. If you have questions or if we can be of further assistance, please contact Jim Widlak of my staff at 931/528-6481, ext. 202.

Sincerely,

Lee A. Barclay, Ph.D.

Field Supervisor



United States Department of the Interior

FISH AND WILDLIFE SERVICE 446 Neal Street Cookeville, TN 38501

December 19, 2002

RECEIVED

DEC 2 3 2002

TO

HOA

ADA

HEA

HIPO

CC: Joh Carr KyTC

James Osadezak, INDIT

Dirks Edmp-IN

Mr. John Ballantyne
Federal Highway Administration
330 West Broad Street
Frankfort, Kentucky 40601

Dear Mr. Ballantyne:

On November 20, 2002, you contacted Jim Widlak of my staff concerning the proposed Ohio River Bridges Project in Jefferson County, Kentucky, and Clark County, Indiana. Biologists from the Cookeville Field Office reviewed the biological assessment prepared for the project and responded by letter of September 18, 2002. Our letter only addressed that portion of the project in Kentucky; however, at an inter-agency meeting held in Louisville, we agreed that there would be one response from the Fish and Wildlife Service and that this office would be the lead. Our September 18, 2002, letter remains in effect for the Kentucky portion of the project, and we offer the following comments for that portion of the project located in Indiana.

Page 12 of the biological assessment describes "mitigation measures" that will be implemented during construction to avoid adverse effects to the endangered Indiana bat. The Endangered Species Act does not allow an action agency or applicant to implement mitigatory measures to offset or compensate for adverse effects to listed species. However, if measures are implemented that reduce effects to insignificant or discountable levels (i.e., the size of the impact is immeasurable or not expected to occur), a finding of "not likely to adversely affect" may be justified. If take of the species may occur despite implementation of protective measures, a "likely to adversely affect" finding must be made and formal consultation initiated.

Surveys conducted in Indiana revealed the presence of endangered gray bats along Lancassange Creek. Alternative alignment B1 would apparently have significant impacts on this stream due to the construction of an interchange directly over the stream and its riparian zone. Consequently, this alternative would adversely affect the gray bat and would require initiation of formal consultation. Alternative A15 (the preferred alignment), would likely not have adverse impacts on Lancassange Creek and the foraging habitat it provides for gray bats. Therefore, if Alternative A15 is selected, we believe that the requirements of section 7 of the Endangered Species Act will be fulfilled. Obligations under section 7 must be reconsidered, however, if: (1) new information reveals that the proposed alignment may affect listed species in a manner or to an extent not previously considered, (2) the proposed alignment is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed alignment.

If Alternative B1 is selected, you should initiate formal consultation with this office prior to construction. Your request for formal consultation should be accompanied by a description of the project, a description of listed species that may be affected, any reports or assessments prepared for the selected alternative, and any other relevant information. If any other alternatives are selected, we recommend that you continue consultation with this office prior to construction.

Thank you for your request. If you have any questions, please contact Jim Widlak of my staff at 931/528-6481, ext. 202.

Sincerely,

Lee A. Barclay, Ph.D. Field Supervisor

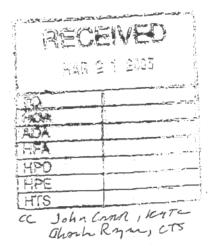


United States Department of the Interior

FISH AND WILDLIFE SERVICE 3761 GEORGETOWN ROAD FRANKFORT, KY 40601

March 13, 2003

Mr. John Ballantyne Louisville Bridges Coordinator Federal Highway Administration 330 West Broadway Frankfort, Kentucky 40601



Re: FWS #03-0865; Biological assessment for the Louisville-Southern Indiana Bridges Project, Clark County, Indiana, and Jefferson County, Kentucky

Dear Mr. Ballantyne:

Thank you for your letter and enclosure of February 19, 2003, transmitting a revised biological assessment for the Louisville-Southern Indiana Bridges Project in Clark County, Indiana (Indiana Department of Transportation Number 9803640), and Jefferson County, Kentucky (Kentucky Transportation Cabinet Item Number 5-1118.00). The original biological assessment for this project was submitted to us for review on August 6, 2002. In our response, dated September 18, 2002, we concurred that the Kentucky portion of the proposed project would not adversely affect federally listed species. On November 20, 2002, you contacted us and requested that we provide comments for the Indiana portion of the project. Based on an agreement made at an inter-agency meeting held in Louisville on August 13-14, 2002, that this office would provide a single Fish and Wildlife Service response for the Louisville-Southern Indiana Bridges Project, we concurred that the project would not adversely affect listed species in Indiana, provided that Alternative A-15 was selected.

The revised biological assessment that you submitted contains technical corrections to: (1) incorporate resource agency recommendations made at the August 13-14, 2002, meeting, (2) incorporate comments made at a December 12, 2002, meeting between representatives from the Federal Highway Administration and Louisville Water Company, and (3) make minor technical corrections to the document. Fish and Wildlife Service biologists have reviewed the revised biological assessment and we concur with your conclusion that the technical corrections do not alter the determination made in the original biological assessment that the proposed Louisville-Southern Indiana Bridges Project is not likely to adversely affect the Indiana bat, gray bat, least tern, bald eagle, pink mucket pearly mussel, orange-footed pimpleback (mussel), fat pocketbook (mussel), ring pink (mussel), clubshell (mussel), Short's goldenrod, or running buffalo clover. In view of this, we believe that the requirements of section 7 of the Endangered Species Act remain fulfilled. Obligations under section 7 must be reconsidered, however, if: (1) new information reveals that the proposed project may affect listed species in a manner or to an extent not previously considered, (2) a new alternative is selected or the proposed project is otherwise modified to include activities which

FHWA KENTUCKY

PAGE 02/02

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were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed project.

Thank you for your request. Your concern for the protection of endangered and threatened species is greatly appreciated. If you have any questions or if we can be of further assistance, please contact me at 502/695-0468, ext. 221; or Jim Widlak from the Cookeville Field Office at 931/528-6481, ext. 202.

Sincerely,

Virgil Lee Andrews, Jr.

Field Supervisor

xc: Field Supervisor, ES, FWS, Bloomington, IN

Director, Environmental Analysis, KTC, Frankfort, KY Director, Environmental Section, INDOT, Indianapolis, IN



DEPARTMENT OF THE ARMY

U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE, KENTUCKY 40201-0059
FAX: (502) 315-8677
http://www.lrl.usace.army.mil

March 25, 2003

Operations Division Regulatory Branch (FS) ID No. 200200242-kmb

Mr. John Ballantyne
Federal Highway Administration
John C. Watts Federal Building
330 West Broadway
Frankfort, Kentucky 40601

OPTIONAL FORM 99 (7-90)		
FAX TRANS	MITTAL	it of pages = 2
Sohn Callantys	e From Kim	brotom. Buslay
DOLDAGENCY	Phone # 3	15-6688
FAX # 223-6735	Fax #	11
NSN 7540-01-317-7358	5029-101 GENERAL	GERVICES ADMINISTRATION

Dear Mr. Ballantyne:

This is in regard to the Louisville-Southern Indiana Ohio River Bridges project in Jefferson County, Kentucky and Clark County, Indiana.

Based on further review of the Draft Environmental Impact Statement (DEIS) and a meeting with you on March 17, 2003, we have additional comments regarding the stated project. Specifically, once an alternative has been chosen, a determination should be made regarding the location of all "waters of the United States (U.S.)", including wetlands to allow for the minimization of impacts to these waters during the design phase of the project. As noted in our February 22, 2002, letter, wetlands are classified as special aquatic sites and as such, impacts to these waters must comply with the Section 404 (b) (1) Guidelines. Hence, in an effort to minimize these impacts it may be in your best interest to have a wetland delineation in accordance with the U.S. Army Corps of Engineers Wetlands Delineation Manual (1987), Technical Report Y-87-1 completed for the chosen alternative as the design phase begins. Nevertheless, when the design of the alignment is completed and a Department of the Army permit is submitted, all wetlands to be impacted by the proposal will need to be identified and delineated in accordance with the Manual.

Additionally, based on the information submitted during the meeting, it is our understanding that alignment A-15 along with C-1 and the Relocated Kennedy Interchange will be the chosen alternatives. In reviewing the information provided A-15 has the smallest impact to wetlands while A-16 has the largest. As noted above and in our previous letter, impacts to special aquatic sites which include wetlands must be in compliance with the Section 404 (b) (1) Guidelines. Hence, it appears that it may be difficult to prove compliance with these guidelines if Alternative A-16 were chosen.

OPTIONAL FORM 98 (7-90)	
FAX TRANSMIT	TAL # of pages > Z
TO CRAYMEN. JCARR	From John Ballaty e
Dept./Agency	Phone # 330 4733
Fax #	Fax #
NSN 7540-01-317-7368 5099-101	GENERAL SERVICES ADMINISTRATION

COE LOUISVILLE

Finally, after reviewing the U.S. Department of Agriculture Soil Survey's of Jefferson County, Kentucky and Clark County, Indiana, it appears that there is prior converted cropland in Clark County, Indiana that potentially could be utilized for wetland mitigation by restoring these areas back to wetlands. Jefferson County, Kentucky does not appear to have the same potential mitigation available due to the lack of cropland in the immediate area. However, there are other practicable alternatives for mitigating impacts to jurisdictional "waters of the U.S.", including wetlands, which include mitigation banks and in-lieu fee programs. However, these forms of mitigation are always the last form of mitigation that can be considered. All other mitigation alternatives must be reviewed and considered before utilizing a bank or contributing to an in-lieu fee program.

If you have any questions concerning these issues, please contact this office at the above address, ATTN: CELRL-OP-FS or call me at (502) 315-6688. Any correspondence on this matter should refer to our ID Number 200200242-kmb.

Sincerely,

Kimberly M. Beasley

Kirilly M. Bearley

Biologist

Regulatory Branch



The former Louisville nonattainment area-consisting of Clark and Floyd counties, IN, Jefferson County, KY, and parts of Bullitt and Oldham counties, KY—was designated as a moderate nonattainment area for pollutant ozone for many years. The region should have attained the National Ambient Air Quality Standard (NAAQS) for ozone by 1996 but did not. Finally, the number of exceedances of the standard was sufficiently low during the years of 1998, 1999, and 2000 that the air quality agencies of the region were able to request that the region be redesignated as a maintenance area in attainment the standard. The of redesignation request was approved in November, 2001. A brief history of the region's air quality follows.

AIR QUALITY HISTORY

As previously stated, the former Louisville nonattainment area was designated as a moderate nonattainment area for many As part of the effort to attain the NAAQS for ozone and to partially fulfill the requirements of the Clean Air Act Amendments of 1990, Indiana and Kentucky submitted State Implementation Plans (SIPs) committing to the reduction of emissions of VOCs by 15% relative to adjusted 1990 levels. The Indiana SIP was submitted to US EPA in December 1993 and was found incomplete with a Protective Finding in July 1994. It was subsequently approved in July 1997. Kentucky SIP was submitted to US EPA in November 1993 and was found incomplete with a Protective Finding in April 1994. It was found administratively complete in September subsequently approved and September 1999.

The local nonattainment area should have attained the standard by 1996. However, the

number of exceedances in 1994 and 1995 was too great for the ozone standard to be attained by 1996. Αt that time. implementation of the contingency measure in the Kentucky State Implementation (air quality) Plan was begun. It was hoped that the measures undertaken to improve air quality would help decrease the number of exceedances to a level such that the region could seek an extension of the deadline to 1997 and a second extension to 1998 with the expectation that the ozone standard would be met then. Unfortunately, the nonattainment area experienced several exceedances of the standard during the summer of 1997 and during May and The number of the September of 1998. exceedances was sufficient that the local area was not able to achieve the standard by 1998. Efforts to improve air quality continued the region, and the number 1999 and 2000 was exceedances for sufficiently small that in 2001 the state and local air quality agencies were able to request that the region be redesignated as a maintenance area in attainment of the ozone As part of the request for standard. redesignation. а plan was submitted indicating how the ozone standard was to be maintained in the region. Included in that plan were limits on the amount of pollutant emissions from mobile sources. These limits, known as budgets, were established for volatile organic compounds (VOCs) and for oxides of Nitrogen (NOx), the precursors of ozone.

CONFORMITY OF HORIZON 2025

The long-range plan, *Horizon 2025*, has been examined to determine if it is in conformity with the SIPs of Indiana and Kentucky. In general, examinations for conformity have two major components: (1) an air quality analysis to determine that air pollutant emissions do not exceed the budgets for VOCs and NOx set in the SIPs and (2) a monitoring of the

progress in implementation of the Transportation Control Measures (TCMs) contained in the SIPs. After consultation with the state and local air quality agencies and US EPA, it was determined that there are no approved TCMs in the SIPs of Indiana and Kentucky. Therefore, it was possible to show conformity of *Horizon 2025* simply by determining that the air pollutant emissions do not exceed the budgets in the SIPs.

The air quality analysis involved three procedures. First, a travel model using the MINUTP software was used to determine the vehicle-miles-traveled (VMT). The VMT was then adjusted using factors which had been previously derived for the base year (1998). These factors allow the model output to be reconciled with estimates of VMT and speed from the Highway Performance Monitoring System (HPMS). Second, the Mobile 6.0 emission factor model was used to determine the emission factors for VOCs and NOx. Third, the VMT was then multiplied by the emission factors to determine the emissions. These products were summed to find the total emissions for each county and ultimately the study area for a given analysis year. Further explanation of the components of the analysis follows.

KIPDA TRAVEL DEMAND MODEL

The KIPDA travel demand model is a mathematical model which relates travel to basic socioeconomic information. The domain of the model is a study area which includes Clark and Floyd counties in Indiana and Bullitt County, Jefferson County, and Oldham County in Kentucky. This area is divided into 757 smaller units called zones.

The KIPDA travel demand model underwent a recalibration which was completed in March 2001. This recalibration established 1998 as the new base year for the model. During the 1990's, there were three major efforts to collect travel data, and the results of these studies had been incorporated into the travel

demand model during an update which was completed in 1996. The studies were the Ohio River Screenline Origin-Destination Vehicular Study, the TARC Travel Forecasting Study, and the External Origin and Destination Study. The first study provided information about the character of the traffic crossing the Ohio River including the ends of the trip. The latter two studies provided information about the extent of tripmaking in the region, and the characteristics of the trips and the tripmakers including length of trip and tendency to use private vehicles or public transit. recalibration in 2001 utilized the information incorporated into the travel model during the update of 1996 and adjusted the model parameters such that the model output matched—within reason--three calibration criteria based on measured data. These criteria were: (1) daily VMT for all highway facilities except local roads for the five-county region; (2) total daily boardings and alightings; and (3) highway traffic volumes crossing seventeen screenlines or cutlines. The result of the recalibration was a travel model which replicated travel in the Louisville area for 1998. The recalibrated travel model was subsequently used in the regional air quality analysis.

The KIPDA travel demand model uses the standard four steps of modeling: trip generation, trip distribution, mode choice, and trip assignment. In addition, it considers travel by vehicles entering, leaving, and crossing the study area. These types of trips are known as external-internal, internal-external, external-external, respectively. The internal ends of these trips are determined by the methods described below for internal-internal travel. The external ends are determined from the volume of traffic crossing the study area boundary at any of the 48 external stations.

Trip generation is the process of determining the number of unlinked trip ends--called productions and attractions--and their spatial distribution based on socioeconomic variables such as households and employment. Trip rates used to define these relationships were derived from the travel data collection efforts described above. This information was supplemented of the National by use Cooperative Highway Research Program #187 Institute Report and the Transportation Engineers' *Trip Generation* The KIPDA travel demand model uses three internal-internal trip purposes and utilizes different trip rates for each. Internalinternal trips are those which have both ends inside the model domain. The three purposes are home-based work, home-based other, and non home-based.

Trip distribution is the process of linking the trip ends thereby creating trips which traverse The KIPDA travel model uses a the area. gravity model to link all trips except the external-external ones. The gravity model is based on the principle that productions are linked to attractions as a direct function of the number of attractions of a zone and as an inverse function of the travel time between zones. This inverse function of travel time is used to generate parameters called friction factors which, in turn, direct the gravity model. The friction factors used in the gravity model were developed as part of the calibration effort performed during the model update of 1996. In addition, information from the study which investigated the behavior of travelers crossing the Ohio River and traffic count information from 1998 were utilized to develop additional parameters called K-factors. The K-factors are used by the model to ensure that it is predicting the correct volume of traffic crossing the Ohio River.

Mode choice is the process used to separate the trips which use transit from those which use automobiles. It is also used to separate the auto drive-alone trips from auto shared-ride trips. In the KIPDA travel demand model, mode choice is based primarily on information provided by the *TARC Travel Forecasting Study*. In the KIPDA travel demand model, the user's benefit or utility is calculated for each mode based on zonal socioeconomic

characteristics and the cost and time of the trip using the various modes. A nested logit model is used to determine the probability of the trip being made by each of the modes. This probability is then multiplied by the number of trips between zones to determine the number of trips by each mode.

Trip assignment is the process used to determine which links of the network a trip will use. There are several assignment schemes which may be used. Two of the more common schemes are All-or-Nothing (AON)-in which all trips between two zones follow the shortest time path--and Stochastic--in which trips between two zones may be assigned to several paths based on their impedances or travel times. It is not uncommon for travel models to use several assignment schemes in sequence to converge to a better assignment. A sequence commonly used involves using several AONs with the traffic volumes reported at the end of each scheme being a weighted average of the volumes from the most recent scheme and the volumes from the previous schemes. A capacity restraint provision is used adjust travel times between assignment schemes. This sequence is called an equilibrium assignment. The KIPDA travel model uses а five-step equilibrium assignment. The results of this process allow for the calculation of vehicle-miles-traveled and vehicle-hours-traveled (VHT). These are accomplished by multiplying the volume of traffic using a link by the distance of the link or the time required to travel the link.

MOBILE 6.0 EMISSION FACTOR MODEL

In addition to the VMT, emission factors are the other component in calculating emissions. As mentioned previously, the Louisville region is in a moderate nonattainment status for the pollutant ozone and must therefore control the precursors of ozone, VOCs and NOx. The emission factors for VOCs and NOx were found using the Mobile 6.0 emission factor model. The Air Pollution Control District of Jefferson County (APCD) produced the

emission factors for Clark and Floyd counties, IN and Jefferson County, KY for each speed from 3 to 65 miles per hour and for the four facility types supported by the MOBILE model. The emission estimates for the nonattainment portions of Bullitt and Oldham counties, KY were developed by the Kentucky Division for Air Quality. The procedure used in calculating these emission estimates will be discussed later. A listing of these emission factors can be obtained by contacting KIPDA.

The VMT generated in the local area comes vehicles subject different from to inspection/maintenance (I/M) programs and from some vehicles not subject to I/M. After 2003, the I/M program in Jefferson County will be discontinued. The fuels which are used in the nonattainment area include reformulated gasoline (RFG) and reduced Reid vapor pressure gasoline (RVP). Unregulated gasoline is used in the areas adjacent to the nonattainment area, and vehicles from those areas can be expected to travel in the nonattainment area also. The emission factors used in the air quality analysis vary by county because they represent a VMTweighted composite based on an estimate of travel in each county by vehicles from the portions of the various region. The assumptions used in developing the composites were consistent with those of the appropriate air quality agency for each of the counties. For Clark and Floyd counties, the assumptions of the Indiana Department of Environmental Management were used; for Bullitt and Oldham counties, the assumptions of the Kentucky Division for Air Quality were and for Jefferson County, assumptions of the APCD were used.

AIR QUALITY ANALYSIS PROCEDURES

The air quality analysis involved three steps. The first step was to develop factors to adjust the output from the travel model to Highway Performance Monitoring System (HPMS) estimates for the base year, 1998. The next

step was to review the projects to determine which projects were "regionally significant" and needed to be included in the regional emissions analysis. The final step was to perform the regional emissions analysis. Each of these steps is discussed below in greater detail.

Adjustment Factors

The first step in the air quality analysis involved comparing the outputs by the travel demand model to Highway Performance Monitoring System (HPMS) estimates for the base year, 1998. Normally, this comparison would be done to determine a factor which could be applied to the final trip table of the model so that the model VMT would be approximately equal (within 2-3%) to the 1998 HPMS VMT estimates from the Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC). By doing this, the trips necessary to approximate the HPMS VMT would be subject to the capacity restraint provision of the model. However, since the KIPDA model was recalibrated recently and since the 1998 HPMS VMT data were used as a criterion, it was not necessary to perform this step. The model VMT for functionally-classified facilities was within one percent of the HPMS values for the same facilities. Therefore, no adjustment was necessary for the final trip table.

Although it was not necessary to adjust the final trip table, factors were developed to adjust the model output to account for variation between the model and HPMS within each of the five counties. To do this, it was necessary to disaggregate the VMT from the 1998 model run by county and functional classification. The VMT estimates derived from the model were then compared to the HPMS VMT estimates for 1998 to develop adjustment factors to be applied to the model output for subsequent years. The adjustment factors for VMT were developed on a functional classification basis for each county. The adjustment factors for speed were

developed in a similar manner using a VMTweighted basis for determining average speed. Speed adjustment factors were developed for each functional classification for the region as a whole.

Project Review

The next step involved determining which transportation plan projects were "regionally significant" and therefore to be included in the regional emissions analysis. determining which projects were to be included in the regional emissions analysis, a list of prospective projects for Horizon 2025 had to be developed. This was accomplished in two steps. First, a public comment period was held to collect input concerning the projects in Horizon 2020, the previous long range plan. In addition, the comment period was also used to collect input concerning perceived unaddressed needs. Second, the results of this public comment period were transmitted to the local and state transportation agencies and other sponsors of projects in Horizon 2020. The project sponsors were then asked to submit their prospective projects for Horizon 2025.

After the projects were submitted, KIPDA reviewed them and the additional information submitted by project sponsors. The projects supporting information were and accessible through an internet forum and all of involved agencies conformity in consultation were invited to review the projects and supporting information and ask questions or make comments, as they deemed appropriate. The result of the internet forum was concurrence concerning which projects were to be included in the air quality analysis and for which analysis years.

Most of the projects which were excluded for the regional emissions analysis were exempt projects as defined in the Code of Federal Regulations in 40 CFR 93.126 and 40 CFR 93.127. In addition, a few projects were excluded from the regional emissions analysis due to a lack of sufficiently detailed information. They include:

1. TSM Projects

Incident Management Program:

This project involves providing the motorist with information concerning reduced capacity of the facility. At this time, the route for diversion is totally at the discretion of the motorist. Therefore, there is insufficient information to quantify the emission impacts using the travel demand model approach.

Spot Improvements:

This is a funding mechanism for undetermined intersection improvements which would have minimal air quality impacts. No projects are currently proposing use of these funds.

2. TSM Corridors

A group of corridors was identified for improvements utilizing TSM. At this point, sufficient detail is lacking for inclusion in the air quality conformity analysis.

3. Roadway Projects

I-264 / Muhammad Ali Blvd./ River Park Dr. interchange:

At this point, sufficient detail is lacking for inclusion of this project in the air quality conformity analysis. The project has not started.

Regional Emissions Analysis

After the projects for each analysis year were determined, the travel model was run using a network which reflected the highway and/or

transit system(s) after the projects in the scenario were implemented. In this way, the analyses reflected the highway and transit networks which were envisioned to be in place by the appropriate analysis year.

The emission estimates for Clark and Floyd counties, IN and Jefferson County, KY were determined in the following manner. After the model was run for each scenario, the adjustment factors were applied to the model output as described for the 1998 base year. The adjustments were applied to the volume and speed of each link based on its functional classification, and the emissions were calculated for the link. The VMT and emissions were accumulated for each county.

The emission estimates for the nonattainment portions of Bullitt and Oldham counties were developed by the Kentucky Division for Air Quality in the following manner. The Kentucky Transportation Cabinet utilized HPMS VMT estimates to forecast VMT by functional classification for each county for each of the analysis years. Using a representative speed, Kentucky Division the for Air Quality developed an emission factor for each functional classification. For each functional class, they then multiplied the VMT estimates by the emission factor to determine the emissions for that class. The emissions for the various functional classes were summed for each county. The emissions for Bullitt County were than multiplied by 0.41 to adjust for the portion of the county which is in the nonattainment area. The emissions for Oldham County were multiplied by 0.50 for the same reason.

After the emissions had been determined for each county, these values were summed to determine the emission totals by state and for the study area as a whole. Two projects could not be included in the travel model and were not in Bullitt and Oldham counties. These two projects were the Louisville Traffic Signal Improvement Program and TARC's new and restructured transit service. Estimates of the

emission reductions of these projects were developed using spreadsheet methodologies. The emission reductions from these projects are minor (less than 20 kg/day) and were included in the calculation of the emissions for each state. The calculation of the adjusted VOC and NOx emissions for the study area allowed comparison with the emission budgets in the Indiana and Kentucky SIPs.

RESULTS OF THE ANALYSIS

The transportation plan, Horizon 2025, has been examined to determine if it is in conformity with the SIPs of Indiana and Kentucky. The examination has been based on an air quality analysis to determine that air pollutant emissions did not exceed the budgets set in the maintenance plan (SIP). As previously mentioned, the other criterion for determining conformity would have been the implementation of progress in the Transportation Control Measures (TCMs) contained in the SIPs. However, since consultation determined that there were no approved TCMs, that criterion did not affect the determination of conformity. The results of the regional emissions analysis are discussed below.

The regional emissions analysis was conducted to provide estimates of the levels of emissions of volatile organic compounds (VOCs) and oxides of Nitrogen (NOx) for the various scenarios. Because the Indiana and Kentucky SIPs provide emission budgets for VOCs and NOx, the calculated emissions from each of the analysis years are used to perform an emission budget test.

The results of the regional emissions analysis are summarized in Tables 5, 6, and 7. Table 5 shows the vehicle-miles-traveled from the analysis. Table 6 shows that for each of the analysis years, the VOC emission levels are less than the emission budget. Table 7 shows that for each of the analysis years, the NOx emission levels are less than the emission budget.

This regional emissions analysis of the projects in *Horizon 2025* (including the Louisville Bridges FEIS Preferred Alternative "design concept and scope") indicates that the plan contributes to the improvement of air quality. In summary, it can be concluded that *Horizon 2025* conforms to the SIPs, and thus the Louisville Bridges FEIS Preferred Alternative conforms to the SIPs.

It should be noted that there an "administrative freeze" on any new conformity findings, effective January 29, 2003, until the Louisville Ozone Maintenance SIP is updated using Mobile 6. provided the VMT and travel speeds to the respective State Air Agencies, and it is anticipated that EPA will be in a position to issue an adequacy finding o the new SIP budgets in June 2003.

KIPDA is initiating an amendment of the KIPDA Horizon 2025 Regional Mobility Plan (RMP). This conformity analysis reflects the FEIS Preferred Alternative "design concept and scope." The formal amendment will processed after need to the be "administrative freeze" is lifted. This amendment is tentatively scheduled for action by the KIPDA Transportation Policy Committee in June 2003.

Per 40 CFR 93.107, KIPDA will need to amend the Horizon 2025 Regional mobility Plan (RMP) to reflect the FEIS Preferred Alternative "design concept and scope" and updated project cost estimate prior to FEIS process completion for the Louisville Bridges Project (FHWA approval of the ROD). The current KIPDA Horizon 2025 RMP reflects the ORMIS 4-lane recommendation for the I-265 outer beltway between I-71 in Kentucky. and SR 62 in Indiana. The 4-lane I-265 configuration resulted in an unacceptable LOS D, and so the Preferred Alternative provides for a 6-lane section. Provision of 3lanes in each direction will result in the desired LOS C in the 2025 design year.

The Louisville Bridges cost estimate in the KIPDA Horizon 2025 RMP is \$868 million (\$700 million from Kentucky, and \$168 million from Indiana). Based on extensive analysis in preparing the FEIS, and the March 18-19, 2003 Cost Estimate Review which incorporated contingencies for the unknown, the final FEIS baseline cost estimate is \$1.936 billion (2003 dollars, \$1.312 billion from Kentucky, and \$0.623 billion from Indiana). The Financing Options document (available for viewing at the local project office) demonstrates that the respective states have a reasonable financing strategy to implement the project. Once KIPDA has amended their Horizon 2025 RMP, demonstrated fiscal constraint and conformity, and FHWA/FTA have issued the conformity finding, the FHWA will be able to approve the ROD. This issue must be addressed prior to issuance of the ROD.

TABLE 5

DAILY VEHICLE-MILES-TRAVELED (VMT) USED IN THE ACTION SCENARIOS OF THE REGIONAL EMISSIONS ANALYSIS (in 1000's of vmt/day)				
YEAR INDIANA KENTUCKY TOTAL				
2012	8439	26928	35367	
2020	9318	29353	38671	
2025	11049	31818	42867	

TABLE 6

DAILY EMISSIONS OF VOLATILE ORGANIC COMPOUNDS (kg/day)			
	EMISSION LEVELS	S FOR ACTION SCENARI	OS
YEAR	INDIANA	KENTUCKY	TOTAL
2012	4039	14534	18573
2020	2629	10327	12956
2025	3001	10282	13283

NOTE: The criteria for conformity are as follows:

Regional emission levels must be below the maintenance plan emission budget of 48.17 tons/day or 43,700 kg/day.

TABLE 7

DAILY EMISSIONS OF OXIDES OF NITROGEN (kg/day)				
	EMISSION LEVELS FOR ACTION SCENARIOS			
YEAR	INDIANA	KENTUCKY	TOTAL	
2012	7093	25151	32244	
2020	2501	11317	13818	
2025	2330	9717	12047	

NOTE: The criteria for conformity are as follows:

Regional emission levels must be below the maintenance plan emission budget of 92.93 tons/day or 84,300 kg/day.